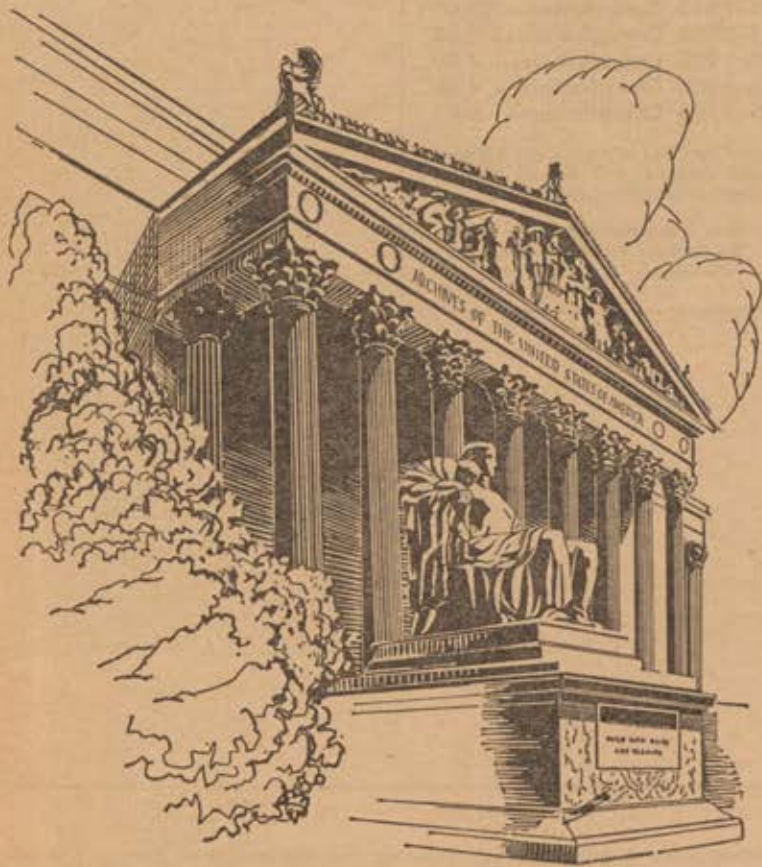


FEDERAL REGISTER

VOLUME 30 • NUMBER 1

Friday, January 1, 1965, Washington, D.C.

Pages 1-24



5-year Compilations

Presidential Documents

**CODE OF FEDERAL
REGULATIONS**

[Supplements to Title 3]

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A cumulative guide is published separately at the end of each month. The guide lists the parts and sections affected by documents published since January 1, 1965, and specifies how they are affected.

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Title 5—ADMINISTRATIVE PERSONNEL

Chapter I—Civil Service Commission PART 213—EXCEPTED SERVICE

Treasury Department

Section 213.3305(a) is amended to show minor changes in the titles of ten Schedule C positions in the Treasury Department. Effective upon publication in the FEDERAL REGISTER, subparagraphs (1), (3), (6), (7), (8), (9), (12), and (15) of paragraph (a) of § 213.3305 are amended as set out below.

§ 213.3305 Treasury Department.

(a) *Office of the Secretary.* (1) One Assistant to the Secretary (Public Affairs); one Assistant to the Secretary (Debt Management); and one Special Assistant to the Secretary.

(3) Special Assistant to the Under Secretary.

(6) Assistant to the Secretary (Congressional Relations).

(7) Deputy Assistant to the Secretary (Congressional Relations).

(8) Assistant to the Secretary (National Security Affairs).

(9) Deputy Assistant Secretary (International Affairs).

(12) Director, Office of Financial Analysis.

(15) Special Assistant to the Secretary (Public Affairs).

(R.S. 1753, sec. 2, 22 Stat. 403, as amended; 5 U.S.C. 631, 633; E.O. 10577, 19 F.R. 7521, 3 CFR, 1954-1958 Comp., p. 218)

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,

Executive Assistant to the Commissioners.

[F.R. Doc. 64-13523; Filed, Dec. 31, 1964; 8:46 a.m.]

Title 7—AGRICULTURE

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

[Navel Orange Reg. 67]

PART 907—NAVEL ORANGES GROWN IN ARIZONA AND DESIGNATED PART OF CALIFORNIA

Limitation of Handling

§ 907.367 Navel Orange Regulation 67.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and

Order No. 907, as amended (7 CFR Part 907), regulating the handling of navel oranges grown in Arizona and designated part of California, effective under the applicable provisions of the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674), and upon the basis of the recommendations and information submitted by the Navel Orange 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 navel oranges, as hereinafter provided, will tend to effectuate the declared policy of the act.

(2) It is hereby further found that it is impracticable and contrary to the public interest to give preliminary notice, engage in public rule making procedure, and postpone the effective date of this section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for navel oranges and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such navel oranges; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 30, 1964.

(b) *Order.* (1) The respective quantities of navel oranges grown in Arizona and designated part of California which may be handled during the period beginning at 12:01 a.m., P.s.t., January 3, 1965, and ending at 12:01 a.m., P.s.t., January 10, 1965, are hereby fixed as follows:

- (i) District 1: 450,000 cartons;
- (ii) District 2: 108,059 cartons;

- (iii) District 3: Unlimited movement;
- (iv) District 4: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," "District 4," and "carton" have the same meaning as when used in said amended marketing agreement and order.

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

Dated: December 31, 1964.

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

[F.R. Doc. 64-13546; Filed, Dec. 31, 1964; 11:12 a.m.]

[Lemon Reg. 145]

PART 910—LEMONS GROWN IN CALIFORNIA AND ARIZONA

Limitation of Handling

§ 910.445 Lemon Regulation 145.

(a) *Findings.* (1) Pursuant to the marketing agreement, as amended, and Order No. 910, as amended (7 CFR Part 910; 27 F.R. 8346), 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. 601-674), 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 section until 30 days after publication hereof in the FEDERAL REGISTER (5 U.S.C. 1001-1011) because the time intervening between the date when information upon which this section is based became available and the time when this section must become effective in order to effectuate the declared policy of the act is insufficient, and a reasonable time is permitted, under the circumstances, for preparation for such effective time; and good cause exists for making the provisions hereof effective as hereinafter set forth. The committee held an open meeting during the current week, after giving due notice thereof, to consider supply and market conditions for lemons and the need for regulation; interested persons were afforded an opportunity to submit information and views at this meeting; the recommendation and supporting information for regulation during the period specified herein were

promptly submitted to the Department after such meeting was held; the provisions of this section, including its effective time, are identical with the aforesaid recommendation of the committee, and information concerning such provisions and effective time has been disseminated among handlers of such lemons; it is necessary, in order to effectuate the declared policy of the act, to make this section effective during the period herein specified; and compliance with this section will not require any special preparation on the part of persons subject hereto which cannot be completed on or before the effective date hereof. Such committee meeting was held on December 29, 1964.

(b) *Order.* (1) The respective quantities of lemons grown in California and Arizona which may be handled during the period beginning at 12:01 a.m., P.s.t., January 3, 1965, and ending at 12:01 a.m., P.s.t., January 10, 1965, are hereby fixed as follows:

- (i) District 1: 46,500 cartons;
- (ii) District 2: 83,700 cartons;
- (iii) District 3: Unlimited movement.

(2) As used in this section, "handled," "District 1," "District 2," "District 3," and "carton" have the same meaning as when used in the said amended marketing agreement and order.

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

Dated: December 30, 1964.

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

[F.R. Doc. 64-13543; Filed, Dec. 31, 1964;
8:48 a.m.]

PART 912—GRAPEFRUIT GROWN IN INDIAN RIVER DISTRICT IN FLORIDA

Expenses and Rate of Assessment

On December 11, 1964, notice of rule making was published in the FEDERAL REGISTER (29 F.R. 16993) regarding proposed expenses and the related rate of assessment for the period beginning August 1, 1964, and ending July 31, 1965, pursuant to the marketing agreement, as amended, and Order No. 912, as amended (7 CFR Part 912), regulating the handling of grapefruit grown in the Indian River District in Florida. This regulatory program is effective under the Agricultural Marketing Agreement Act of 1937, as amended (7 U.S.C. 601-674). After consideration of all relevant matters presented, including the proposals set forth in such notice which were submitted by the Indian River Grapefruit Committee (established pursuant to said marketing agreement and order), it is hereby found and determined that:

§ 912.204 Expenses and rate of assessment.

(a) *Expenses.* Expenses that are reasonable and likely to be incurred by the Indian River Grapefruit Committee during the period August 1, 1964, through July 31, 1965, will amount to \$30,000.

(b) *Rate of assessment.* The rate of assessment for said period, payable by each handler in accordance with § 912.41, is fixed at \$0.006 per standard packed box of grapefruit.

It is hereby further found that good cause exists for not postponing the effective date hereof until 30 days after publication in the FEDERAL REGISTER (5 U.S.C. 1001-1011) in that (1) the relevant provisions of said marketing agreement and this part require that the rate of assessment herein fixed shall be applicable to all assessable grapefruit handled during the aforesaid period, and (2) such period began on August 1, 1964, and said rate of assessment will automatically apply to all such grapefruit beginning with such date.

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

Dated: December 29, 1964.

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

[F.R. Doc. 64-13522; Filed, Dec. 31, 1964;
8:46 a.m.]

Title 21—FOOD AND DRUGS

Chapter I—Food and Drug Administration, Department of Health, Education, and Welfare

SUBCHAPTER B—FOOD AND FOOD PRODUCTS

PART 15—CEREAL FLOURS AND RELATED PRODUCTS

Instant Blending Flours; Definition and Standard of Identity; Order Staying Effective Date

Pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919; 72 Stat. 948; 21 U.S.C. 341, 371) and under the authority delegated to the Commissioner of Food and Drugs by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), it is announced that objections were filed to the order published in the FEDERAL REGISTER of October 31, 1964 (29 F.R. 14845), establishing a new § 15.75 *Instantized flours, instant blending flours, quick mixing flours; identity; label statement of optional ingredients.* These objections request a hearing. Accordingly, it is ordered, That the effective date of the order establishing a definition and standard of identity for instantized flours, instant blending flours, quick mixing flours is stayed pending a determination of the issues raised in the objections filed.

(Secs. 401, 701, 52 Stat. 1046, 1055, as amended, 70 Stat. 919; 72 Stat. 948; 21 U.S.C. 341, 371)

Dated: December 30, 1964.

JOHN L. HARVEY,
Deputy Commissioner
of Food and Drugs.

[F.R. Doc. 64-13544; Filed, Dec. 31, 1964;
8:48 a.m.]

PART 121—FOOD ADDITIVES

Subpart D—Food Additives Permitted in Food for Human Consumption

METHYLENE CHLORIDE RESIDUES

The Commissioner of Food and Drugs has evaluated data in a petition (FAP 5A1574) filed by Hops Extract Corporation of America, Post Office Box 341, Yakima, Wash., 98901, and other relevant material, and has concluded that the food additive regulations should be amended to prescribe the safe use of methylene chloride as a solvent of hops used in the production of beer. Therefore, pursuant to the provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1)), and under the authority delegated to the Commissioner by the Secretary of Health, Education, and Welfare (21 CFR 2.90; 29 F.R. 471), § 121.1039 is amended to read as follows:

§ 121.1039 Methylene chloride residues.

Methylene chloride may be present in food under the following conditions:

(a) In spice oleoresins as a residue from the extraction of spice, at a level not to exceed 30 parts per million (0.003 percent): *Provided*, That, if residues of other chlorinated solvents are also present, the total of all residues of such solvents shall not exceed 30 parts per million.

(b) In hops extract as a residue from the extraction of hops, at a level not to exceed 2.2 percent, *Provided*, That:

(1) The hops extract is added to the wort before or during cooking in the manufacture of beer.

(2) The label of the hops extract identifies the presence of the methylene chloride and provides for the use of the hops extract only as prescribed by subparagraph (1) of this paragraph.

Any person who will be adversely affected by the foregoing order may at any time within 30 days from the date of its publication in the FEDERAL REGISTER file with the Hearing Clerk, Department of Health, Education, and Welfare, Room 5440, 330 Independence Avenue SW., Washington, D.C., 20201, written objections thereto, preferably in quintuplicate. Objections shall show wherein the person filing will be adversely affected by the order and specify with particularity the provisions of the order deemed objectionable and the grounds for the objections. If a hearing is requested, the objections must state the issues for the hearing. A hearing will be granted if the objections are supported by grounds legally sufficient to justify the relief sought. Objections may be accompanied by a memorandum or brief in support thereof.

Effective date. This order shall be effective on the date of its publication in the FEDERAL REGISTER.

(Sec. 409(c)(1), 72 Stat. 1786; 21 U.S.C. 348(c)(1))

Dated: December 28, 1964.

JOHN L. HARVEY,
Deputy Commissioner of
Food and Drugs.

[F.R. Doc. 64-13506; Filed, Dec. 31, 1964;
8:45 a.m.]

Title 43—PUBLIC LANDS: INTERIOR

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

APPENDIX—PUBLIC LAND ORDERS

[Public Land Order 3518]

CALIFORNIA

Withdrawal for National Forest Roadside Zones and Picnic Site

By virtue of the authority vested in the President, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

1. Subject to valid existing rights, the following-described national forest lands in the Tahoe National Forest, are hereby withdrawn from appropriation under the United States mining laws (Chap. 2, Title 30 U.S.C.), in aid of programs of the Department of Agriculture:

[Sacramento 068087]

MOUNT DIABLO MERIDIAN

TAHOE NATIONAL FOREST

Roadside Zone Along U.S. Highway 40

A strip of land from points 300 feet to the north of the centerline of the westbound lane to points 300 feet to the south of the centerline of the eastbound lane through the following legal subdivisions:

- T. 16 N., R. 11 E.,
Sec. 2, lots 1 and 2, S $\frac{1}{2}$ NE $\frac{1}{4}$, N $\frac{1}{2}$ SW $\frac{1}{4}$
and SW $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 17 N., R. 12 E.,
Sec. 24, SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 28, NE $\frac{1}{4}$ and SE $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 17 N., R. 15 E.,
Sec. 8, lots 1 and 2 and E $\frac{1}{2}$ NW $\frac{1}{4}$ (NW $\frac{1}{4}$),
N $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 10, W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 12, SE $\frac{1}{4}$.
T. 17 N., R. 16 E.,
Sec. 12, NW $\frac{1}{4}$ NW $\frac{1}{4}$.
T. 18 N., R. 17 E.,
Sec. 28, SE $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 32, NE $\frac{1}{4}$ SW $\frac{1}{4}$;
Sec. 35, N $\frac{1}{2}$ NE $\frac{1}{4}$, NW $\frac{1}{4}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$ and
E $\frac{1}{2}$ NE $\frac{1}{4}$ NW $\frac{1}{4}$.

Roadside Zone Along California State Highway 89

A strip of land 200 feet on each side of the centerline of California State Highway 89, through the following legal subdivisions:

- T. 15 N., R. 16 E.,
Sec. 2, W $\frac{1}{2}$ lot 1 (SW $\frac{1}{4}$ NW $\frac{1}{4}$).
T. 16 N., R. 16 E.,
Sec. 4, W $\frac{1}{2}$ lot 2 of NE $\frac{1}{4}$ (NW $\frac{1}{4}$ NE $\frac{1}{4}$);
Sec. 9, E $\frac{1}{2}$ W $\frac{1}{2}$;
Sec. 16, SW $\frac{1}{4}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$ and W $\frac{1}{2}$
SE $\frac{1}{4}$;
Sec. 21, E $\frac{1}{2}$ E $\frac{1}{2}$;
Sec. 34, E $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$, E $\frac{1}{2}$ W $\frac{1}{2}$ W $\frac{1}{2}$ NW $\frac{1}{4}$,
NE $\frac{1}{4}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, S $\frac{1}{2}$ NW $\frac{1}{4}$ SW $\frac{1}{4}$, and
SE $\frac{1}{4}$ SW $\frac{1}{4}$.
T. 17 N., R. 16 E.,
Sec. 2, lot 2 of NW $\frac{1}{4}$ (NE $\frac{1}{4}$ NW $\frac{1}{4}$, NW $\frac{1}{4}$
NW $\frac{1}{4}$), E $\frac{1}{2}$ lot 1 of NW $\frac{1}{4}$ (SE $\frac{1}{4}$ NW $\frac{1}{4}$),
E $\frac{1}{2}$ SW $\frac{1}{4}$;
Sec. 21, N $\frac{1}{2}$ NE $\frac{1}{4}$, and SW $\frac{1}{4}$ NE $\frac{1}{4}$;
Sec. 28, W $\frac{1}{2}$ NE $\frac{1}{4}$, E $\frac{1}{2}$ SW $\frac{1}{4}$, and W $\frac{1}{2}$ SE $\frac{1}{4}$;
Sec. 33, W $\frac{1}{2}$ NE $\frac{1}{4}$, NE $\frac{1}{4}$ NW $\frac{1}{4}$, SE $\frac{1}{4}$ SW $\frac{1}{4}$,
and NW $\frac{1}{4}$ SE $\frac{1}{4}$.

Roadside Zone Along California State Highway 20

A strip of land 200 feet on each side of the centerline of California State Highway

No. 20 through the following legal subdivisions:

- T. 17 N., R. 11 E.,
Sec. 22, S $\frac{1}{2}$ SW $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$;
Sec. 26, N $\frac{1}{2}$ SE $\frac{1}{4}$, and SW $\frac{1}{4}$ SE $\frac{1}{4}$.
T. 17 N., R. 12 E.,
Sec. 28, NW $\frac{1}{4}$ NE $\frac{1}{4}$.

The areas described aggregate approximately 3,188.35 acres.

[Sacramento 078675]

MOUNT DIABLO MERIDIAN

DONNER CAMPS PICNIC SITE

- T. 18 N., R. 16 E.,
Sec. 34, NE $\frac{1}{4}$ NE $\frac{1}{4}$.
Containing 40 acres.

2. The withdrawal made by this order does not alter the applicability of those public land laws governing the use of the national forest lands under lease, license, or permit, or governing the disposal of their mineral and vegetative resources other than under the mining laws.

JOHN A. CARVER, Jr.,
Assistant Secretary
of the Interior.

DECEMBER 23, 1964.

[P.R. Doc. 64-13536; Filed, Dec. 31, 1964;
8:47 a.m.]

[Public Land Order 3519]

ARIZONA, ALASKA AND FLORIDA

Revocation of Orders

1. By virtue of the authority contained in Section 10 of the Act of December 29, 1916 (39 Stat. 865; 43 U.S.C. 300) as amended, the departmental order of June 6, 1923, creating Stock Driveway Withdrawal No. 184, is hereby revoked so far as it affects the following-described lands:

ARIZONA 033375

GILA AND SALT RIVER MERIDIAN

- T. 1 N., R. 7 E.,
Sec. 18, NW $\frac{1}{4}$.

The area described contains 154.66 acres of patented lands.

2. By virtue of the authority vested in the President by the Act of March 12, 1914 (38 Stat. 305; 43 U.S.C. 301-308), and otherwise, and pursuant to Executive Order No. 10355 of May 26, 1952 (17 F.R. 4831), it is ordered as follows:

a. Executive Order No. 5447 of September 22, 1930, reserving the following-described lands for use of the Department of Agriculture, is hereby revoked:

ANCHORAGE 053828

FEDERAL ADDITION TO SEWARD TOWNSITE

Block 12, lots 1, 2, and 3.

The tracts described aggregate 0.34 acres of patented lands.

b. Public Land Order No. 1044 of December 28, 1954, withdrawing lands for use of the Department of the Air Force, is hereby revoked so far as it affects the following-described lands:

BLM 037361 (FLORIDA)

TALLAHASSEE MERIDIAN

- T. 9 S., R. 12 W.,
Sec. 1, lots 2, 3, and 4.

The areas described aggregate 98.05 acres of patented lands.

JOHN A. CARVER, Jr.,
Assistant Secretary
of the Interior.

DECEMBER 23, 1964.

[P.R. Doc. 64-13537; Filed, Dec. 31, 1964;
8:47 a.m.]

Title 45—PUBLIC WELFARE

Chapter I—Office of Education, Department of Health, Education, and Welfare

PART 141—FINANCIAL ASSISTANCE FOR STRENGTHENING INSTRUCTION IN SCIENCE, MATHEMATICS, MODERN FOREIGN LANGUAGES, AND OTHER CRITICAL SUBJECTS IN PUBLIC SCHOOLS

Part 141 of Title 45 of the Code of Federal Regulations, dealing with regulations for the administration of sections 301-304, inclusive, of Title III of the National Defense Education Act of 1958, 72 Stat. 1580, as amended (20 U.S.C. Ch. 17) is revised to read as set forth below.

Grants made pursuant to the regulations set forth below are subject to the regulations in 45 CFR Part 80, issued by the Secretary of Health, Education, and Welfare, and approved by the President, to effectuate the provisions of section 601 of the Civil Rights Act of 1964 (P.L. 88-352).

Subpart A—Definitions

Sec. 141.1 Definitions.

Subpart B—State Plan—General Provisions

- 141.2 State plan.
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- 141.12 Effective date of plan.
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Subpart D—Federal Payment Procedures

- 141.20 Estimates and financial reports.
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Subpart F—Supervision and Administration

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ADVISORY: The provisions of this Part 141 issued under secs. 301-304, 1001, 72 Stat. 1588-1589, 1802, as amended, 20 U.S.C. 441-444, 581.

Subpart A—Definitions

§ 141.1 Definitions.

As used in this part:

- (a) "Act" means the National Defense Education Act of 1958, as amended, 20 U.S.C. Ch. 17.
 (b) "Audiovisual library" means a facility controlled and operated by a State or local educational agency or other public school authority below the State level and used for the collection, custody, cataloging, maintenance, and distribution of audiovisual materials for education in the critical subjects in public elementary or secondary schools.
 (c) "Class" means a group of students assembled for instruction for a given period of time under a teacher or teachers.
 (d) "Commissioner" means the United States Commissioner of Education, Department of Health, Education, and Welfare.
 (e) "Critical subjects" means those subjects for which financial assistance may be provided under Title III of the Act; namely science, mathematics, history, civics, geography, modern foreign language, English, and reading, as defined below:
 (1) "Science" includes the physical and biological sciences, but not the social sciences.
 (2) "Mathematics" means the study of number, quantity, shape, and arrangement through units of courses provided in elementary grades, or in secondary grades for graduation or for admission to post high school institutions. It includes all elective courses for which mathematics credit is given toward graduation.
 (3) "History" means the study of past and contemporary events in relation to peoples and civilizations.
 (4) "Civics" means the study of United States government (its purpose, function, and structure) at Federal, State, and local levels, including the rights and duties of citizens, and the study of international affairs in relation to their impact on United States government.
 (5) "Geography" means the study of the spatial distributions and relationships on the earth's surface of these elements that give character to places. These include natural phenomena (such as land, water, air), biotic phenomena (plant and animal life), and human phenomena (such as population, occupa-

tions, transportation, and communications). The term includes the study of physical, political, social, economic, and historical geography.

(6) "Modern foreign language" means a language other than English which is in current use as a common medium of communication by some substantial segment of the world population. (Ancient languages such as Latin and classical Greek are not modern foreign languages.)

(7) "English" means the study of the English language in its spoken and written forms regardless of the primary language of the student, and training and practice in the communication skills of listening, speaking, reading, and writing. It includes speech, grammar, literature, language arts, and linguistics. It also includes journalism, creative writing, public speaking, debate, and dramatic arts if they are taught during the regular hours of the school day in courses for which English credit is given toward graduation.

(8) "Reading" means the acquisition and development of basic skills for interpreting written symbols as representing the vocabulary and structure of one's own spoken language. It refers to the sequential and continuous acquisition of the basic skills and content needed to comprehend, evaluate, use, and enjoy the many types of written communication and the relationship of such skills and content to the general school program. It includes oral, corrective, and remedial reading.

(f) "Department" means the Department of Health, Education, and Welfare.

(g) "Elementary school" means a school which provides elementary education, as determined under State law.

(h) "Equipment" eligible for purchase through approved projects means laboratory and other special equipment as defined in paragraph (j) of this section, including materials as defined in paragraph (l) of this section.

(i) "Fiscal year," as used with respect to reporting and accounting requirements, means the period beginning on the first day of July and ending on the following June 30. (The calendar year of the ending date is used to designate the fiscal year.)

(j) "Laboratory and other special equipment" means (1) fixed or movable articles, which are particularly appropriate for use in providing education in the critical subjects in a public elementary or secondary school and which are to be used either by teachers in connection with teaching or by students in learning in such subjects; (2) audiovisual equipment, such as projectors, recording equipment, television receivers and television tape recorders, to be used, either by teachers in connection with teaching or by students in learning, primarily in providing education in the critical subjects in a public elementary or secondary school; (3) "materials" as defined in paragraph (l) of this section and devices (other than those used for printing, such as printing presses and offset printing machines) to be used for preparation of audiovisual and instructional materials for the critical subjects; (4) storage

equipment to be used solely for the care and protection of the foregoing items when used in laboratories or classrooms; (5) testgrading equipment to be used primarily in providing education in the critical subjects in a public elementary or secondary school; and (6) specialized equipment for audiovisual libraries serving public elementary or secondary schools when such equipment is to be used primarily in providing education in the critical subjects. (The term excludes such items as general-purpose furniture, radio or television broadcasting apparatus, school public address systems, or items for the maintenance and repair of equipment. However, the term does include equipment for maintenance and repair of materials in audiovisual libraries.)

(k) "Local educational agency" means a board of education or other legally constituted local school authority having administrative control and direction of public elementary or secondary schools in a city, county, township, school district, or other political subdivision in a State, or any other public institution or agency having administrative control and direction of a public elementary or secondary school.

(l) "Materials" means those items which with reasonable care and use may be expected to last for more than one year and are suitable for and are to be used in providing education in the critical subjects in an elementary or secondary school. The term includes such items as tapes and discs; slides and transparencies; films and filmstrips; books, pamphlets, and periodicals; and other printed and published materials such as maps, globes, and charts. The term does not include such items as textbooks (as defined in paragraph (u) of this section) or chemicals and other supplies which are consumed in use.

(m) "Minor remodeling" means those minor alterations in a previously completed building in space used or to be used as a laboratory or classroom for education in the critical subjects which are needed to make effective use of equipment in providing education in such subjects. The term also includes those minor alterations in a previously completed building which are needed to make effective use of the items referred to in subparagraphs (5) and (6) of paragraph (j) of this section. The term may also include the extension of utility lines, such as for water and electricity, from points beyond the confines of the space in which the minor remodeling is undertaken but within the confines of such previously completed building, to the extent needed to make effective use of equipment. The term does not include building construction, structural alterations to buildings, building maintenance, repair or renovation.

(n) "Project," as applied to the acquisition of laboratory or other special equipment or minor remodeling, means (1) a proposal submitted by a local educational agency, or agencies, or other public school authority below the State level, or (2) in cases where the State educational agency operates one or more public elementary or secondary schools

or audiovisual libraries, a proposal submitted by the highest administrative officer of such school or audiovisual library. Such a proposal shall contain: (i) Itemized description and current cost estimates of the equipment to be acquired or minor remodeling to be performed; (ii) certification that the equipment is to be used primarily for providing education in the critical subjects, except that in the case of storage equipment the certification shall be to the effect that the storage equipment will be used solely for the care and protection of equipment and materials used in providing such education; and (iii) information showing the direct relationship of the proposed expenditures to the overall design for enriching the planned educational program and the achievement of desired curriculum goals in the critical subjects.

(o) "Public," as applied to any school or institution, includes a school or institution of any agency of the United States, except that no such school or institution shall be eligible to receive any grant, loan, or other payment under the Act.

(p) "School" means a division of instructional organization consisting of a group of pupils comprised of one or more grade groups, organized on a class basis as one unit with one or more teachers to give instruction of a defined type, and housed in a school plant of one or more buildings. More than one school may be housed in one school plant as when elementary and secondary schools are so housed.

(q) "Secondary school" means a school which provides secondary education, as determined under State law. The term does not include any education provided beyond grade 12 except that it may include a public junior college when it is a part of or an extension of the secondary school system of the State as determined under State law.

(r) "Services": (1) "Supervisory services" means the services rendered by a qualified person in the promotion, maintenance, and improvement of instruction in one or more of the critical subjects. (2) "Related services" means those technical activities which support supervisory services in the critical subjects.

(s) "State" means a State of the Union, Puerto Rico, the District of Columbia, the Canal Zone, Guam, American Samoa, or the Virgin Islands.

(t) "State educational agency" or "State agency" means the State board of education or other agency or officer primarily responsible for the State supervision of public elementary and secondary schools, or, if there is no such officer or agency, an officer or agency designated by the governor or by State law.

(u) "Textbook" means a book or workbook, or manual, which is used as the principal source of study material for a given class or group of students, a copy of which is expected to be available for the individual use of each pupil in such a class or group of students.

Subpart B—State Plan—General Provisions

§ 141.2 State plan.

(a) *Purpose.* A basic condition for the payment of Federal funds to a State under sections 301-304 of the Act is a State plan meeting the requirements of sections 303(a) and 1004(a) of the Act by providing (1) a program under which funds paid to the State from its allotment under section 302(a) will be expended solely for projects approved by the State educational agency for the acquisition of laboratory and other special equipment suitable for use in providing education in the critical subjects; (2) principles for determining the priority of projects and provisions for undertaking projects in accordance therewith; (3) for an opportunity to an aggrieved project applicant for a hearing before the State agency; (4) for the establishment of standards for equipment to be acquired under the program; (5) a program under which funds paid to the State from its allotment under section 302(b) will be expended solely for expansion or improvement of supervisory or related services in the public elementary and secondary schools in the critical subjects, and for administration of the State plan; (6) that the State agency will be the sole agency for administering the plan; (7) that the State agency will make such reports as the Commissioner deems necessary; and (8) for fiscal control and fund accounting procedures as specified in these regulations.

(b) *Effect of State plan.* The plan, when approved by the Commissioner, shall constitute the basis on which Federal grants will be made, as well as a basis for determining the propriety of State and local expenditures in which Federal participation is requested.

(c) *Submission.* The State plan and all amendments thereto shall be submitted to the Commissioner by a duly authorized officer of the State educational agency. The plan shall indicate the official or officials authorized to submit plan material.

(d) *Amendments.* The administration of the programs shall be kept in conformity with the approved State plan. Whenever there is any material change in the content or administration of a program, or when there has been a change in pertinent State law or in the organization, policies, or operations of the State educational agency affecting a program under the plan, the State plan shall be appropriately amended.

(e) *Certificate of the State educational agency or appropriate State legal officer.* The State plan and all amendments thereto shall include as an attachment a certificate of the officer of the State educational agency authorized to submit the State plan to the effect (1) that the plan or amendment has been adopted by the State agency and that the plan, or plan as amended, will constitute the basis for operation and administration of the programs in which Federal participation under sections 301-304 of the Act will be requested and (2)

that the program established under section 303(a) (5) of the Act is either a new program or an expansion or improvement of an existing program within the meaning of § 141.32.

(f) *Certificate of the State Attorney General or other appropriate State legal officer.* The State plan shall also include, as an attachment, a certificate by the appropriate State legal officer to the effect that the State agency named in the plan is the "State educational agency" as defined in § 141.1(t) which has authority under State law to submit the State plan and to carry out the programs described therein as the sole State agency responsible for administering the plan, and that all the plan provisions are consistent with State law.

§ 141.3 State agency for administration.

(a) *Designation.* The State plan shall give the official name of the agency which will be the sole agency for administering the plan. Such agency shall meet the criteria set forth in § 141.1(t) defining "State educational agency."

(b) *Organization.* The State plan shall describe, by chart or otherwise, the organization of the State staff for the administration of the programs set forth in the plan. The lines of authority within the administrative unit or units responsible for the programs under the plan shall be shown, together with the administrative relationships of such unit or units to the rest of the State educational agency.

§ 141.4 Authority of State agency.

The State plan shall set forth the authority of the State educational agency under State law to submit the plan and to administer and supervise the programs set forth therein, including a description of the functional relationship between the State agency and the local educational agencies. Citations to, or copies of, all directly pertinent statutes and interpretations of law by appropriate State officials, whether by regulation, policy statement, opinion of the appropriate State legal officer or court decision, shall be furnished as part of the plan. All copies shall be certified as correct by an appropriate official.

§ 141.5 Custody of funds.

The State plan shall designate the officer who will receive and provide for the custody of all funds to be expended under applicable State laws and regulations on requisition or order of the State agency.

§ 141.6 Administrative review and evaluation.

Provision shall be made in the State plan for administrative review and evaluation by the State educational agency of the programs and operations under the plan at least annually for the purpose of appraising the status of the programs and their administration in terms of the plan provisions and program objectives, which shall be stated in the plan.

§ 141.7 State fiscal procedures.

(a) *State administration.* The State plan shall provide for the fiscal administration of the plan by describing such fiscal control and fund accounting procedures as may be necessary to assure proper disbursement of and accounting for Federal funds paid to the State under the plan, including such funds paid by the State to the local educational agencies. Such administration shall be conducted in accordance with applicable State laws, policies, and procedures, which shall be identified in the plan or set forth in an appendix. Accounts and supporting documents relating to any program involving Federal participation shall be adequate to permit an accurate and expeditious audit of the program.

(b) *Audit of local and other participating educational agencies.* All expenditures claimed for Federal participation shall be audited either by the State or by appropriate auditors at the local level. The State plan shall indicate how the project accounts of local educational agencies and other agencies participating in the State plan will be audited; and, when the audit is to be carried out at the local level, how the State agency will secure information necessary to assure proper use of funds expended under sections 303 and 304 of the Act by such educational agencies.

§ 141.8 Duties and qualifications of State personnel in professional positions.

(a) *Staff.* The State plan shall describe the duties of State administrative and supervisory positions, existing and proposed, under the State plan. The State plan shall also set forth the minimum experience, education, and other related qualifications required of all professional supervisors in the critical subjects. If State statutes or regulations establish such positions and give such information, the plan shall include citation to such statutes, or set forth in an appendix copies of pertinent regulations.

(b) *Advisory committee.* If a State advisory committee is used with respect to one or more aspects of the State plan, the plan shall describe the general composition and method of establishment of the committee and its duties.

§ 141.9 Reports.

The State plan shall provide that the State agency will participate in such periodic consultations and will make such reports to the Commissioner at such time, in such form, and containing such information as the Commissioner may consider reasonably necessary to enable him to perform his duties under sections 301-304, inclusive, of the Act and will keep such records and afford such access thereto, and will comply with such other requirements, as the Commissioner may find necessary to assure the correctness and verification of such reports.

§ 141.10 Continuing review of State administration.

In order to assist the State educational agency in adhering to statutory require-

ment and to the substantive legal and administrative provisions of its approved State plan, the Commissioner will conduct periodic reviews of the administration of programs under Title III of the Act.

§ 141.11 Fiscal audits.

The State educational agency's program expenditure records are to be audited by the Department to determine whether the State agency has properly accounted for Federal funds.

Subpart C—Federal Financial Participation

§ 141.12 Effective date of plan.

Since the Federal Government participates only in amounts expended under the State plan, there can be no Federal participation in any expenditure made before the plan or applicable amendment thereto is in effect. For the purposes of this part, the earliest date on which the plan or applicable amendment thereto may be considered in effect is the date on which it is received in substantially approvable form by the Commissioner.

§ 141.13 Federal participation in general.

(a) *Projects under section 303(a)(1) of the Act.* The Federal Government will pay from each State's allotment an amount equal to one-half of the sums expended for the purchase of equipment and for minor remodeling, when expended for an approved project under an approved State plan, as provided for in section 303(a)(1) of the Act. There can be no Federal financial participation in the expenditures for a project if the project, including any amendments thereto, has not been approved by the State educational agency prior to the incurrence of the obligation. However, an administrative approval of a project or of the estimated cost of a project does not of itself constitute an expenditure for the purpose of Federal financial participation.

(b) *Supervision and administration.* The Federal Government will pay from each State's allotment one-half of the total sum expended by the State for supervision, related services, and administration in programs established under the approved State plan in accordance with section 303(a)(5) of the Act.

(c) *Equipment from a Communist country.* Annual appropriation acts for the Department of Health, Education, and Welfare have provided that no part of the funds appropriated for "Defense Educational Activities" shall be available for the purchase of teaching equipment, or equipment suitable for use for teaching, in certain subjects, which can be identified as originating in or having been exported from a Communist country, unless such equipment is unavailable from any other source. Such a prohibition applies to expenditures with respect to which Federal participation is requested (1) for supervisory services and administration through the use of allotments under section 302(b) or section 1008 of the Act and (2) for the acquisi-

tion of equipment through the use of allotments under section 302(a) or section 1008 of the Act.

(d) *Public nature of funds.* The expenditures to be considered in computing Federal financial participation must be made from public funds. Public funds do not include contributions by private organizations or individuals unless such contributions are deposited in accordance with State law to the account of a unit or agency of State or local government without such conditions or restrictions as would negate their public character.

§ 141.14 Proration of costs.

Federal financial participation is available only with respect to that portion of any expenditure which is attributable to an activity under the State plan. The State plan shall specify the basis for identifying and the method to be used in prorating State level expenditures to include only those attributable solely to State plan activities. The State educational agency shall include in its annual description of projected activities submitted to the Commissioner for each fiscal year its estimated prorated expenditures for salaries attributable to State plan activities. The State educational agency must also maintain records (documented on a before- and after-the-fact basis) to substantiate the proration of expenditures for applicable items such as salaries, travel, rent and equipment.

§ 141.15 Accounting basis for expenditures.

Subject to the provisions and limitations of the Act and this part, Federal financial participation will be available only for expenditures made under the plan in accordance with applicable State laws, rules, and regulations governing expenditures of State and local funds. Each State shall use the accounting basis (cash, accrual or obligation) applicable to its State or local accounting. The State plan shall specify for State and for local level expenditures the particular accounting basis to be so used and shall set forth or incorporate by reference the applicable State laws, rules, and regulations which constitute the basis for defining and establishing how and when transactions made by the State and other participating agencies are considered to be expenditures. If the State or local educational agencies utilize other than a cash accounting basis, the State plan shall indicate the time period or other factors governing the liquidation of obligations.

§ 141.16 Use of State rule in determining the fiscal year's allotment to which an expenditure is chargeable.

Each allotment to a State under section 302(a), 302(b), or 1008 of the Act is made with respect to a fiscal year commencing on July 1 and ending the following June 30. State and local laws and regulations shall be followed in determining to which fiscal year an expenditure by the State or local educational agency is chargeable for the purpose of earning the allotment.

§ 141.17 Transfer of funds to local agencies.

State plans shall set forth the policies and procedures to be used in the payment of funds to local educational agencies or other school authorities pursuant to an approved project either (a) as a reimbursement for actual expenditures or (b) as an advance prior to expenditures. Advances shall not be eligible for inclusion as expenditures for the purposes of earning Federal financial participation until adequate evidence of actual expenditures for approved projects has been received and verified by the State educational agency. (See §§ 141.13 and 141.15.) Reimbursement or payment need not be uniform to all local agencies (i.e., the State plan may provide a method by which the ratio of reimbursement to expenditures in particular cases may be adjusted on the basis of comparative local needs).

§ 141.18 Disposal of records.

(a) *General rule.* The State educational agency shall provide for keeping accessible and intact all records supporting claims for Federal grants or relating to the accountability of the grantee agency for expenditure of such grants and relating to the expenditure of matching funds: (1) For three years after the close of the fiscal year in which the expenditure was made; (2) until the State agency is notified that such records are not needed for program administration review; or (3) until the State agency is notified of the completion of the Department's fiscal audit, whichever is later.

(b) *Questioned expenditure.* The records involved in any claim or expenditure which has been questioned shall be maintained until necessary adjustments have been reviewed and cleared by the Department.

(c) *Inventories of equipment.* Where nonconsumable equipment which costs \$50 or more per unit is purchased by the State with Federal financial participation for use in programs for supervisory or related services or administration, inventories and other records supporting accountability shall be maintained until the State agency is notified of the completion of the Department's review and audit covering the disposition of such equipment. (The maintenance of such inventories is not required for equipment acquired under section 303(a) by local educational agencies.)

§ 141.19 Adjustments.

The State educational agency in its maintenance of program expenditure accounts, records, and reports shall make promptly any necessary adjustments in its records to reflect refunds, credits, underpayments, or overpayments, as well as any adjustments resulting from Federal or State administrative reviews and audits. Such adjustments shall be set forth in the State's financial reports filed with the Commissioner.

Subpart D—Federal Payment Procedures**§ 141.20 Estimates and financial reports.**

(a) *Reports.* The State agency shall submit, in accordance with procedures established by the Commissioner:

(1) A description of the activities to be carried on under the plan during the fiscal year;

(2) A statement of estimated total expenditures for activities under the plan during the fiscal year, and the amount of funds available to pay the non-Federal share of such expenditures;

(3) Following the end of the fiscal year, a report of the total expenditures made under the plan during the fiscal year; and

(4) Such other estimates and reports as are periodically needed to account properly for funds.

(b) *Effect of estimates.* Expenditures will not be precluded from Federal financial participation because of minor deviations from the information submitted pursuant to paragraph (a) of this section if they are otherwise made in accordance with the approved plan and the regulations.

§ 141.21 Federal payments.

Payments will be made in advance to States with approved plans on the basis of estimates and reports referred to in §§ 141.20 and 141.22(c), with appropriate adjustments for underpayments or overpayments for any prior period. In settling accounts upon the termination of Title III of the Act or the termination of a State plan, the State shall refund to the Commissioner any overpayment which might have been made under section 304 of the Act.

§ 141.22 Effect of Federal payments and reallocation.

(a) *No waiver.* Neither the approval of the State plan nor any payment to the State pursuant thereto shall be deemed to waive the right or duty of the Commissioner to withhold funds by reason of the failure of the State to observe, before or after such administrative action, any Federal requirements.

(b) *Settlement of accounts.* The final amount to which the State is entitled for any period is determined on the basis of expenditures under the State plan with respect to which Federal financial participation is authorized.

(c) *Reallotment.* In order to provide a basis for reallotments by the Commissioner under section 302(c) of the Act, each State agency shall, if requested, submit to the Commissioner, by such date or dates as he may specify, a statement showing the anticipated need during the current fiscal year for the amount previously allotted, or any amount needed to be added thereto. Such further information as the Commissioner may request for the purpose of making reallotments shall be reflected in such statements. No allot-

ment (or reallotment) of funds may be carried over for use during a subsequent fiscal year.

§ 141.23 Certifying payments.

Payments will be certified periodically after: (a) The State has on file in the Office of Education a plan approved by the Commissioner; (b) the pertinent estimates and reports required by §§ 141.20 and 141.22(c) have been reviewed; and (c) the Commissioner is satisfied that the State needs the funds and will be able to carry out the plan during the current fiscal year.

§ 141.24 Interest on Federal grants.

Interest earned on Federal grants shall be credited to the United States. The State agency shall submit as a part of each annual financial report a statement showing the amount of interest earned on Federal funds during that period. Ordinarily such interest earnings will be considered in the adjustment of the Federal-State account; but for the last year of the program, payment of interest shall be made by the State to the Commissioner.

Subpart E—Acquisition of Equipment and Minor Remodeling**§ 141.25 Description of program.**

The State plan shall describe the program for the acquisition of equipment and minor remodeling for the critical subjects to be served.

§ 141.26 Purchase of materials for making equipment.

Expenditures in which Federal participation is claimed may include the cost of raw or processed materials or component parts to be made into finished products or complete equipment units for instruction in the critical subjects, including the cost of making and assembling such equipment.

§ 141.27 Use of equipment in other subject areas.

Equipment acquired under an approved project for the critical subjects may be used when available and suitable in providing education in other subjects, if there exists a critical need therefor in the judgment of local school authorities. Equipment shall be deemed available only when it is not needed for the time being for use in the critical subjects.

§ 141.28 Priorities.

The State plan shall contain the principles established by the State educational agency for determining priorities for projects submitted to the State agency for approval under the State plan. The State agency shall indicate that it will apply these principles to determine the order of undertaking the projects submitted under the plan.

§ 141.29 Standards.

The State educational agency shall establish standards on a State level for equipment to be acquired, and for minor

remodeling to be performed, with Federal financial assistance under Title III of the Act. Such standards are to be related to the State's programs for improving instruction in the critical subjects and will be applied by the State agency in approving projects for the acquisition of equipment or minor remodeling.

§ 141.30 Hearings.

The State plan shall describe the procedure for giving a timely opportunity to any aggrieved project-applicant to request and receive a hearing before the State educational agency with reference to any project presented to the State agency for approval under the plan.

Subpart F—Supervision and Administration

§ 141.31 Programs for supervision and related services.

The State plan shall contain a description of the programs for the expansion or improvement of the State agency's supervisory and related services to public elementary and secondary schools in each of the critical subjects. The description shall clearly show (a) how and to what extent each program provides a new service or is an improvement or expansion of an existing service in the nature of supervision of instruction or a service which effectively contributes to the supervisory service to be rendered; (b) the scope of the agency's activities and arrangements to be undertaken in carrying out such programs; and (c) the present and planned supervisory staff positions and activities, including related services, in each of the critical subjects.

§ 141.32 Expansion or improvement.

An expansion or improvement of an existing program of supervisory or related services is a program which involves additional expenditures by the State educational agency for such services to public elementary or secondary schools in the critical subjects over and above those hitherto expended for like services and does one or more of the following: (a) Provides for the employment of additional qualified personnel to render such services; (b) provides for rendering additional or improved services to local educational agencies; (c) extends the services already being rendered to more local educational agencies.

§ 141.33 Time basis for measurement of activities.

Whether a program is an "expansion" or "improvement" of an existing program will, for the fiscal year 1959, be measured against the activities being carried on by the State educational agency prior to September 2, 1958. For those States which first submit plans after fiscal year 1959, and with respect to additional programs submitted after fiscal year 1959, improvement or expansion in such programs will be measured against the activities being carried on by the State educational agency prior to the first day of the fiscal year in which the program is submitted for approval. (See § 141.32.)

§ 141.34 Eligible costs.

(a) *Types.* The cost of administration, and of supervisory and related services, in which Federal participation may be claimed includes such categories of expense as the following, to the extent that the items of cost are attributable to the programs approved under the State plan: (1) Salaries of the staff, both clerical and professional; (2) consultants' fees; (3) expenses of committees, workshops and conferences, including the travel of those representing the State agency or acting in an advisory capacity to it; (4) contractual services consistent with State laws and regulations and the State plan, provided such services do not result in the relinquishing by the State agency of any part of its responsibility for the supervisory and related services program; (5) office equipment and equipment necessary for State programs of supervision of instruction in the critical subject fields; (6) communication; (7) supplies, printing, and printed materials; (8) rental of office space as provided in paragraph (b) of this section; (9) employer's contributions to retirement, workmen's compensation, and other welfare funds maintained for one or more general classes of employees of the State agency; and (10) travel of staff and consultants.

(b) *Office space.* Federal financial participation will be available in expenditures for rental of office space (including the cost of utilities and janitorial services) in privately or publicly owned buildings if: (1) The expenditures for the space are necessary, reasonable, and properly related to the efficient administration of the plan or the expansion or improvement of supervisory or related services covered by the plan; (2) the State agency will receive benefits during the period of occupancy commensurate with such expenditures; (3) the amounts paid by the State agency are not in excess of comparable rental in the particular locality; (4) the expenditures represent an actual cost to the State agency; and (5) in the case of publicly owned buildings, like charges are made to other agencies occupying similar space.

§ 141.35 Transition provisions.

(a) *State plan.* A State plan approved prior to the promulgation of these revised regulations remains in effect through June 30, 1965, unless prior to June 30, 1965, the State plan is revised to be in accord with these revised regulations. After June 30, 1965, in order for a State to receive payments under Title III of the Act, the State plan must have been revised to be in conformity with the revised regulations.

(b) *Equipment and minor remodeling eligible for Federal financial participation.* A State educational agency may approve projects for the acquisition, with Federal financial participation, of items of equipment, or for minor remodeling, for education in critical subjects only to the extent that equipment or minor remodeling for such critical subjects are covered by the State plan current at the time of project approval.

These revised regulations are effective immediately.

[SEAL] FRANCIS KEPPEL,
Commissioner of Education.

Approved: December 29, 1964.

ANTHONY J. CELEBREZZE,
Secretary of Health, Education,
and Welfare.

[P.R. Doc. 64-13538; Filed, Dec. 31, 1964;
8:47 a.m.]

Title 47—TELECOMMUNICATION

Chapter I—Federal Communications Commission

[Docket No. 14185 etc.; FCC 64-1202]

PART 73—RADIO BROADCAST SERVICES

Memorandum Opinion and Order

In the matter of revision of FM Broadcast Rules, particularly as to allocation and technical standards, Docket No. 14185; petition of FM Unlimited, Inc. for changes in FM Station Assignment Rules, RM-94; amendment of § 73.202, Table of Assignments, FM Broadcast Stations (Blue Island, Des Plaines, Elmwood Park, Lansing, and Skokie, Ill.; Valparaiso, Ind.), RM-509; in re applications of Radio Skokie Valley, Inc., (WRSV), File No. BLH-1916, for license to cover construction permit authorizing a new Class A FM Broadcast Station at Skokie, Ill.; The News-Sun Broadcasting Company, Waukegan, Ill., Docket No. 13292, File No. BPH-2543; Walter A. Hotz and Charles W. Kline d/b as Radio America, Chicago, Ill., Docket No. 13709, File No. BPH-2858; Edward Walter Piszczek and Jerome K. Westerfield, Des Plaines, Ill., Docket No. 13940, File No. BPH-3201; for construction permits (FM).

1. The Commission has before it a number of conflicting proposals for the assignment of FM Channel 294 in the Chicago area.¹ Gale (WFMT, Chicago

¹ (a) The above-captioned applications; (b) "Petition for Rehearing" filed Jan. 17, 1963 by Gale Broadcasting Co., Inc. (Gale), licensee of Radio Station WFMT, Chicago, Ill., seeking reconsideration of the Commission's action of Dec. 5, 1962 (FCC 62-1261) granting the WRSV license application of Radio Skokie Valley, Inc. (Skokie Valley); (c) "Petition for Hearing" filed Jan. 7, 1963 by the North Shore Fine Arts Committee (Committee) also seeking reconsideration of the grant of Skokie Valley's license application; (d) Skokie Valley's "Opposition to Petitions"; (e) Gale's "Reply" to Skokie Valley's Opposition; (f) Petitions for Reconsideration of the Third Report Memorandum Opinion and Order (particularly regarding the assignment of Channel 294 in the Chicago area) by: Edward W. Piszczek and Jerome K. Westerfield (P & W), applicants for a new FM broadcast station at Des Plaines, Ill.; Illiana FM Broadcasters, Inc., licensee of Station WLNR-FM, Lansing, Ill.; News-Sun Broadcasting Company (News-Sun), applicant for a new FM broadcast station in Waukegan, Ill.; and (jointly) Gale and Skokie Valley; (g) Opposition to the above proposal of FM Unlimited by Northwest Indiana

Channel 254) and Skokie Valley (WRSV, Skokie Channel 252A) urge the assignment of Channel 294 to Skokie to correct their rather serious second adjacent channel interference problem.⁷ Illiana (WLNR-FM, Lansing, Ill., Channel 292A) urges the assignment of Channel 294 in Lansing to correct a similar interference problem which it fears would result if an application for Channel 290 at Blue Island, now in hearing, is granted. News-Sun and Radio America, applicants for 294 at Waukegan and Chicago respectively, urge assignment of the channel as they applied for it. News-Sun argues that Waukegan is outside the Chicago standard metropolitan area and hence that in the absence of a Class B assignment there, Channel 294 should be assigned to Waukegan.⁸ Radio America (applicant for Channel 294 at Chicago) requests the assignment in Chicago to permit inauguration of another service there. Piszczek and Westerfield (applicants for Channel 244 at Des Plaines which cannot be used there under present spacing rules) base their request for the assignment of 294 in Des Plaines on the needs of that community for a first local outlet.

2. In our Memorandum Opinion and Order released Oct. 29, 1963 (FCC 63-976) disposing of various petitions for reconsideration of the Third Report and Order, we stated that:

[T]hree petitions for reconsideration which were timely filed are not being considered at this time. These petitions were filed by Illiana FM Broadcasters, Inc., Edward W. Piszczek and Jerome K. Westerfield, and (jointly) Gale Broadcasting Co., Inc. and Radio Skokie Valley, Inc. These petitions all propose conflicting assignments of Channel 294 in the Chicago area. Because several current unresolved proceedings before the Commission involving other FM channels in the Chicago area may be highly relevant to our decision regarding Channel 294, we are reserving judgment of this question for the immediate future . . .

Although the News-Sun Broadcasting Company failed to submit a timely petition for reconsideration of the "Third Report", we will, on our own motion, consider the needs of Waukegan for Channel 294 in disposing of the other three petitions.

3. Illiana's Class A station WLNR-FM in Lansing, Channel 292A, is short-spaced to Station WXFM in Elmwood Park, on Channel 290. Illiana points

Broadcasting Corporation, applicant for a new FM station in Valparaiso, Ind.; (h) Initial Decision in Docket Nos. 13292 and 13709 (FCC 63D-111) looking toward dismissal of the News-Sun and Radio America applications; (i) Initial Decision in Docket No. 13940 (FCC 63D-117) looking toward dismissal of the Piszczek/Westerfield application.

⁷ The Commission, in disposing of petitions filed against Skokie Valley's license application, concluded that Skokie Valley's original construction permit (issued in 1960) had been properly granted under technical standards in force at that time, and, that despite a rather serious practical problem of mutual second adjacent channel interference between WRSV and WFMT, no useful purpose would be served by designating the then-pending license application for hearing.

⁸ News-Sun's statement is not correct. Waukegan is within both the Chicago standard metropolitan statistical area and the Chicago urbanized area.

out that if the Blue Island application for Channel 290 (mutually exclusive with WXFM's renewal) is granted, Illiana's current second adjacent channel short-spacing will be substantially increased.⁹ Specifically, its current separation of 24.75 miles from WXFM (well below the required 40 mile separation) would be reduced to 9.55 miles if that grant were made. Accordingly, Illiana requests the assignment of Channel 294 to Lansing in lieu of 292A. Illiana argues that such assignment not only would permit correction of the second adjacent channel separation problem but also would permit the assignment of Channel 292A elsewhere in the Chicago area.⁴ Illiana argues that Lansing's population (1960 population 18,098) has reached 22,000, an amount sufficient to warrant a Class B assignment especially since Lansing abuts the Gary-Hammond-East Chicago metropolitan area which includes Gary, Ind., alleged to be the largest community in the United States without an FM assignment.

4. News-Sun requests assignment of Channel 294 to Waukegan (1960 population—55,719) on two bases. First, News-Sun argues that as a result of a series of coincidences beyond its control its originally unobjectionable application could not be granted. News-Sun also contends that Waukegan, which currently has one AM station and one Class A FM assignment is not part of either the Chicago or Milwaukee metropolitan areas, and assignment of a Class B FM channel there is particularly justified. In News-Sun's opinion the needs of Waukegan cannot be met by the daytime only AM station there or by the Class A FM station in Waukegan, and that other Class A assignments in the area would likewise be unable to provide the necessary service. News-Sun asserts that operating as a Class B station on Channel 294 it could satisfy these needs and in doing so, would serve substantial white and gray areas,⁵ and thus would serve the public as well as its own private interest.

5. Piszczek and Westerfield seek the assignment of Channel 294 to Des Plaines (1960 population—34,886) and to meet any objection that such an assignment

⁴ Illiana's anxiety apparently resulted from the Initial Decision recommending denial of WXFM's renewal application and the following statement in the "Third Report": "However, Channel 290 which also represents an existing station in the Table, will be included in the Table at either Blue Island or Elmwood Park if it is determined in Docket 12604, that the applicant for one of those communities should prevail." The Initial Decision, however, was reversed by the Commission on July 8, 1964 (FCC 64-627) and remanded to the Examiner for comparative consideration.

⁵ Illiana suggests assigning Channel 292A, which it would vacate, to Waukegan. Such an assignment, however, would be severely short-spaced to Channel 291 in Waukegan, Wis.

⁶ The News-Sun's showing on this point is not current (it was made years ago in its original application). The statement appears to be based on existing 1 mv/m contours, although the Commission's rules recognize that a 50 uv/m signal provides adequate service in rural areas.

would be short-spaced to Lansing on 292A, point out that the Commission can require selection of a site meeting the mileage separation requirements. P & W contend that the needs of the Des Plaines area for a first outlet are greater than that of Waukegan especially in view of ample service to the Waukegan area from Highland Park (like Waukegan in Lake County), Kenosha and Waukegan itself. According to P & W, Des Plaines' population has reached 43,000 and that of Maine Township in which it is located has reached in excess of 100,000. They claim that the needs of these people as expressed by various community leaders in Des Plaines and nearby Park Ridge warrant the assignment of Channel 294 to provide Maine Township with its first local outlet. P & W also argue that Illiana's acceptance of interference from Blue Island when it was granted out of the Lansing-Elmwood Park-Blue Island hearing and the mutual acceptance of interference by Gale and Skokie Valley terminated their rights in the matter. As to Gale and Skokie Valley's proposal, P & W urge that assigning a Class A station on a Class B channel would also be highly inefficient.

6. Gale and Skokie Valley jointly request the assignment of Channel 294 to Skokie and would limit WRSV to Class A facilities to obviate the problem of short-spacing to Lansing which otherwise would exist. In effect, this would be a Class A assignment on a Class B channel. In support of this proposal and the request for waiver, Gale and Skokie Valley argue that its adoption would permit an over-all improvement in the short-spacing problems involving Skokie Valley and would end the serious mutual interference problems which now exist between WRSV (Channel 252A) and WFMT and WHFC (254 and 250 respectively). The latter point, they assert, is particularly significant since the coverage of Skokie Valley, Skokie's only station, is severely limited and interference to Gale occurs in the very area where its listeners are most highly concentrated. In their view these conditions warrant, if not require, immediate corrective action, which action they allege would be consistent with the spirit of the new FM standards.

7. FM Unlimited (RM-509) proposes the following series of changes: (a) Substitute 288A for 292A in Lansing; (b) substitute 296A for 288A in Valparaiso, Ind.; (c) assign Class B Channel 294 to Skokie specifying Class A facilities; (d) assign Class B Channel 290 to Des Plaines on the same basis; and (e) assign Channel 292A to Blue Island. FM Unlimited describes its purpose as one of aiding the Commission in removing itself from the "horns of a dilemma." In FM Unlimited's view, the dilemma is posed by the "intolerable interference" involving Skokie Valley on the one hand, and by the danger of an equally great interference problem involving Illiana (if the Blue Island application is granted), on the other. FM Unlimited argues that notwithstanding the short spacings created, its proposal would correct both of these problems and that permitting Blue Island to use Channel 292A, is appro-

prate in view of Blue Island's size and its small population increase between 1950 and 1960.

8. In reaching our decisions herein, we have carefully considered all of the matters raised by the parties in the various pleadings. As to the changes suggested by FM Unlimited mentioned in Paragraph 7, above, FM Unlimited not only proposes unacceptable short-spaced assignments but, in addition, its proposal to utilize two Class B channels (290 and 294) for limited-facility Class A assignments would be a very inefficient use of these frequencies. The rule making proposal RM-509 must therefore be denied.⁸

9. In reaching our conclusions, we also note that another Class B FM channel—270—will soon be available for use in solving the complex and long-standing Chicago-area allocation problems, because of the revocation of the license on Station WCLM, Chicago, now operating on that channel with "super-maximum" facilities (60 kw E.R.P. and effective antenna height of 520 feet).⁷ Use of this channel at Waukegan is precluded by the assignment of Channel 272A in that community (which is occupied by Station WGFA). Its assignment at Lansing also appears inappropriate because of the severe short-spacing which would result to a Channel 272A station recently authorized at Crete, Ill. (about 18 miles distance transmitter to transmitter). On the other hand, we believe use of 270 would be appropriate at Skokie, where (based on the WRSV transmitter Channel site) it would be some 24 miles from the existing Waukegan station on Channel 272A, and some 71 miles from a Channel 271 station at Milwaukee.⁸ In the Fourth Report and Order in the over-all FM proceeding (Docket 14185, FCC 64-119, 3 R.R. 2d 15171, Oct. 9, 1964, paragraph 37) we stated that, when an authorization is deleted for a station which is short-spaced, we would consider what disposition should be made of the channel assignment and make a determination on the circumstances of each case. Under the unusual circumstances prevailing in this area, with complex allocation problems of long standing, we believe retention of the channel in the Chicago area, and in particular its use to improve the Skokie interference situation, is desirable. Assignment of this channel to Skokie is proposed in a Notice

⁸ Because of short-spacing to the Lansing station, and also because of the large number of existing Chicago FM assignments, we give no further consideration to the Radio America Application for Channel 294 at Chicago, and are dismissing it.

⁷ The revocation was because of operation of the station in violation of the Commission's rules and in a manner inconsistent with the public interest. It has been appealed, and of course reassignment of Channel 270 is subject to the outcome of the appeal.

⁸ Standard spacings are, respectively, 40 miles (Class B to second-adjacent channel Class A) and 105 miles (Class B to first-adjacent Channel Class B). Des Plaines' location with respect to these stations is not greatly different from that of Skokie; but it is slightly closer to the existing Waukegan station (21 miles compared to 24 miles), and we believe use of 270 at Skokie is preferable to its use at Des Plaines. places are east of Lansing, whereas Blue

of Proposed Rule Making adopted herewith. An important factor in reaching this conclusion is that, in view of WCLM's present operation on the channel with "super-maximum" facilities, and with a reasonable limitation on Skokie Channel 270 facilities (which we propose), the interference situation with respect to the

existing Waukegan station would be no worse than it is now, and with respect to the existing Milwaukee station it would be better than at present.⁹

10. Turning to the substance of the four claims presented here, the pertinent data as to the four communities are as follows:

Community, county	1960 census population ¹⁰	Miles from Chicago (P.O.)	AM facilities	FM assignments
Skokie, Cook	69,632	12	None	262A
Waukegan, Lake	55,719	34	One (daytime)	272A
Des Plaines, Cook	34,886	18	None	None
Lansing, Cook	18,068	22	do	292A

There are 2 FM channels and stations in Cook County, including those listed and 15 Class B stations in Chicago; there are two (including Waukegan) both Class A, in Lake County. Waukegan is the county seat of and largest city in Lake County. All of the communities receive numerous AM and FM services.

None of the three Cook County communities has an AM station, and the only FM assignments in them are those in Skokie and Lansing (both Class A) occupied by the stations involved here. On the other hand, Waukegan is the county seat of Lake County, more than 20 miles from the nearest boundary of Chicago. It has a daytime-only AM station and one Class A FM assignment and station (there is one other Class A FM assignment and station in the county). All of the communities receive multiple AM and FM services.

11. Upon careful consideration, we are of the view that the claim of Illiana, for use of Channel 294 at Lansing, while not inconsequential, is of less merit than the others mentioned. In terms of "307(b)" considerations, it is the smallest of the communities mentioned, and is located close to and in the same county as Chicago, with its multiple FM services. The fact that Lansing is close to the East Chicago-Hammond-Gary area is reduced in significance by the fact that it is in a different state and would therefore appear to have somewhat different community interests.¹¹ Moreover, Illiana's claim is based chiefly on the possibility of grant of the Blue Island application as the outcome of the Elmwood Park-Blue Island hearing, which would mean a Channel 290 operation closer to Lansing than the present Elmwood Park one. Such result is of course much conjectural. Even if the Blue Island applicant is successful in the hearing, the interference from its station (which Illiana

⁹ We propose to limit a Skokie Channel 270 station to 20 kw E.R.P. and 130 ft. effective antenna height (the antenna height of WRSV) in the direction of the existing Waukegan and Milwaukee stations.

¹⁰ As mentioned above, increases in population since 1960 are claimed for Des Plaines and Lansing.

¹¹ While there is no FM assignment in the city of Gary (as Illiana points out), there is a Class B FM station at Hammond, with relatively large facilities (30 kw, 400 feet antenna height). Hammond lies roughly between Lansing and Gary. We note that these Island is northwest, so that if the Blue Island application is granted interference therefrom

agreed to accept when granted out of that hearing) would be substantially less than that which WRSV, Skokie, now receives from two Chicago stations, WFMT and WHFC.¹²

12. As to the remaining requests, we conclude that assignment of Channel 294 to Skokie, to remove the WRSV interference problem, is less meritorious than the other two. We recognize this problem as a substantial one (although probably not as serious as it has sometimes been portrayed); but use of this Class B channel to resolve it appears less desirable than the other two possibilities, particularly in view of Skokie's close proximity to Chicago and that city's many stations. A Des Plaines assignment would provide a first broadcast outlet for that community, which is of substantial size and is somewhat further removed from Chicago. This choice would have to be resolved in favor of Des Plaines. As to Waukegan, that community and Skokie are of roughly comparable size. In our view, Waukegan's considerably greater distance from Chicago, and its position as the county seat and largest city in Lake County (which has substantially fewer broadcast facilities than Cook County), make provision for a Class B assignment there (the first in the county) more in the public interest than use to improve the Skokie interference situation. This is true even though Waukegan now has a daytime-only AM and a Class A FM station. Also, a Waukegan assignment, and likewise a Des Plaines assignment, are to be preferred because a Class B station at either place, located further from Chicago, would serve areas receiving less service than the areas which a Skokie Class B station would serve. We reach these conclusions independent of the fact that Channel 270 will likely be available as a solution to the Skokie problem, although of course this is another reason why Channel 294 can better

to Lansing's service in Indiana would be only slightly affected, if at all.

¹² Both situations involve interference between second-adjacent channel stations. A Blue Island-Lansing separation (9.3 miles) would be slightly shorter than the WRSV-WFMT and WRSV-WHFC spacings (10.6 and 13.5 miles respectively). But the WFMT and WHFC facilities (135 kw-540 ft. and 74 kw-270 ft.) are much greater than those proposed for Blue Island (22 kw-227 ft.), giving the comparative result stated in the text. Moreover, the WRSV situation involves interference to and from two stations, compared to only one in the Lansing-Blue Island situation.

be used otherwise. As mentioned above, Channel 270 cannot be used at Waukegan, and use at Des Plaines would involve shorter spacings than use at Skokie.

13. As between Waukegan and Des Plaines, taking into account the factors mentioned above the record herein does not support a clear "307b" choice. If the channel is assigned to Waukegan, it is available for use there or (under the "25-mile rule") at Des Plaines (at either place, of course, it must meet applicable mileage separations). The question of which use is more in the public interest can be resolved in a hearing between the applicants for these communities, which we contemplate as a result of our action herein.

14. Therefore we are amending the FM Table of Assignments to assign Channel 294 to Waukegan. As to further procedural steps, we are dismissing the Radio America application for Channel 294 at Chicago. The News-Sun (Waukegan) and Des Plaines applications are now in hearing status, with the hearing proceedings stayed. We are dismissing the hearings on these two applications, holding the applications pending, and giving the applicants 45 days to amend their applications—Piszczek and West-erfield to specify Channel 294 and show a site meeting required mileage separations and News-Sun to up-date its application if it wishes to do so. If appropriate amendments are filed, the two applications will then be designated for consolidated hearing, primarily on "307b" issues.

15. Authority for the amendment to the FM Table of Assignments adopted herein is contained in sections 4(i), 303, and 307(b) of the Communications Act of 1934, as amended.

16. In view of the foregoing: *It is ordered*, That, effective February 8, 1965, § 73.202 of the Commission's rules, Table of FM assignments, is amended, insofar as the community named is concerned, to read as follows:

City	Channel No.
Waukegan, Ill.....	272A, 294

17. *It is further ordered*, That the Petitions for Reconsideration of the Third Report and Order in Docket 14185 filed by Illiana Broadcasters, Inc. and Walter A. Hotz and Charles W. Kline, d/b as Radio America are denied; and that the Petitions for Reconsideration of said Report and Order filed by Gale Broadcasting Company, Inc. and Radio Skokie Valley, Inc. (joint) and Edward Walter Piszczek and Jerome K. West-erfield are granted to the extent indicated herein and in all other respects are denied.

18. *It is further ordered*, That the petitions for rule making filed by FM Unlimited (RM-94 and RM-509) are denied, except insofar as petition RM-94 has been granted in earlier actions in Docket 14185.

19. *It is further ordered*, That the petitions seeking reconsideration of grant of license of Station WRSV, Skokie, Ill., mentioned in Footnote 1 hereof, are denied.

20. *It is further ordered*, That the application of Walter A. Hotz and Charles W. Kline d/b as Radio America (BPH-2858) is dismissed.

21. *It is further ordered*, That the hearing proceedings Dockets 13292, 13709 and 13940 are terminated.

22. *It is further ordered*, That the applications of the News-Sun Broadcasting Company (BPH-2543) and Edward Walter Piszczek and Jerome K. West-erfield (BPH-3201) are held pending, subject to designation for consolidated hearing in a subsequent order.

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

Adopted: December 23, 1964.

Released: December 29, 1964.

FEDERAL COMMUNICATIONS
COMMISSION,

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-13531; Filed, Dec. 31, 1964;
8:46 a.m.]

Title 12—BANKS AND BANKING

[No. FSLIC-1954]

Chapter V—Federal Home Loan Bank Board

SUBCHAPTER D—FEDERAL SAVINGS AND LOAN INSURANCE CORPORATION

PART 570—BOARD RULINGS

Credits To Reserve for Losses

DECEMBER 30, 1964.

Resolved that the Federal Home Loan Bank Board, upon the basis of consideration by it of the advisability of amendment of Part 570 of the rules and regulations for Insurance of Accounts (12 CFR Part 570) as hereinafter set forth, and for the purpose of effecting such amendment, hereby amends said Part 570 as follows.

Part 570 is hereby amended by adding, immediately after § 570.6, a new section, § 570.7, to read as follows:

§ 570.7 Credits to Reserve for Losses—Insurance Regulation 563.23-1.

Any reserve established in accordance with paragraph (e) of § 563.23-1 of this chapter is considered to be a specific reserve as that term is used in § 561.13 of this chapter. Credits to such reserve shall be excluded from net income for purposes of § 563.13 of this chapter.

Resolved further that since the aforesaid amendments contain only statements of general policy or interpretations of substantive rules adopted or formulated by the Board for the guidance of the public, the requirements of notice and public procedures set out in § 508.12 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 508.12) and section 4(a) of the Administrative Procedure Act do not apply, and for the same reasons, deferment of the effective date is not required under section 4(c) of the Administrative Procedure Act and § 508.14 of the General Regulations of the Federal Home Loan Bank Board (12 CFR 508.14).

By the Federal Home Loan Bank Board.

[SEAL] HARRY W. CAULSEN,
Secretary.

[F.R. Doc. 64-13545; Filed, Dec. 31, 1964;
10:59 a.m.]

Proposed Rule Making

DEPARTMENT OF THE TREASURY

Fiscal Service

[31 CFR Part 270]

AVAILABILITY OF RECORDS

Notice of Proposed Rule Making

1. Notice is hereby given pursuant to section 4 of the Administrative Procedure Act (60 Stat. 238, 5 U.S.C. 1003) that the Secretary of the Treasury is considering the revision of the schedule of fees for the services of copying, certifying and search of records performed by the Bureau of Accounts which has been established pursuant to the provisions of Title V of the Independent Offices Appropriation Act of 1952 (65 Stat. 290, 5 U.S.C. 140) and Bureau of the Budget Circular No. A-25 dated September 23, 1959, as amended.

2. It is proposed to revise the first sentence of paragraphs (a) and (b), § 270.3, Part 270, Subchapter A, Chapter II of Title 31 of the Code of Federal Regulations to read as follows:

§ 270.3 Fees for copying, certifying and search of records.

(a) For searching of documents covering mortgages, releases, assignments, claims, loans, deeds, etc., \$5.50 per hour, with a minimum charge of \$2.75. * * *

(b) For furnishing special fiscal data that have not been published at the time of request, \$7 per hour, with a minimum charge of \$3.50. * * *

3. Comments on the proposed revision to the schedule of fees set forth above are invited and should be submitted in writing to the Commissioner of Accounts, Treasury Department, Washing-

ton, D.C., 20220, in time to be received within thirty days after date of publication of this notice. No hearing will be held to consider this matter.

Dated: December 24, 1964.

JOHN K. CARLOCK,
Fiscal Assistant Secretary.

[F.R. Doc. 64-13507; Filed, Dec. 31, 1964;
8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[49 CFR Part 170]

[Ex Parte No. MC-37 (Sub-No. 9)]

BALTIMORE, MARYLAND, COMMERCIAL ZONE

Redefinition; Extension of Time for Filing Statements

DECEMBER 21, 1964.

Redefinition of the Baltimore, Md., commercial zone heretofore defined in Ex Parte No. MC-37; commercial zones and terminal areas, 62 M.C.C. 510.

At the request of interested persons, the time for filing written statements of data, views, and argument in favor of or against the petition in the above-entitled matter is extended to February 4, 1965. The presently assigned date is January 4, 1965 (29 F.R. 15821). An original and 5 copies of such statements should be filed with the Commission at its office at Washington, D.C.

By the Commission.

[SEAL]

HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-13533; Filed, Dec. 31, 1964;
8:46 a.m.]

Notices

DEPARTMENT OF THE INTERIOR

Bureau of Indian Affairs

[Billings Area Office Redefinition Order 1, Amdt. 17]

LANDS AND MINERALS

Redelegation of Authority With Respect to Specifically Designated Employees

Section 3.16 (29 F.R. 2703) of Billings Area Office Redefinition Order 1 is amended to read as follows:

FUNCTIONS RELATING TO LANDS AND MINERALS

SEC. 3.16 *Oil and gas leases.* (a) The Superintendents, Blackfeet, Fort Peck, Crow, and Wind River Agencies, may approve oil and gas leases, on forms approved by the Commissioner of Indian Affairs, of tribal lands and of trust or restricted individually owned lands in accordance with advertisements soliciting bids therefor pursuant to 25 CFR Parts 171 and 172.

(b) The authority conferred by section 3.16(a) extends to and includes the approval of other appropriate administrative action required on all assignments of oil and gas leases now or hereafter in force on tribal or restricted allotted lands, bonds, and other instruments required in connection with such leases or assignments, and the acceptance of voluntary surrender of leases by lessees.

(c) The authority delegated in section 3.16 (a) and (b) does not include:

(1) Approval of leases on lands purchased or reserved for agency or school purposes.

(2) Approval of leases, assignments and bonds on any forms except those approved by the Commissioner of Indian Affairs.

(3) Modification of any forms approved by the Commissioner of Indian Affairs.

(4) Approval of amendments to oil and gas leases or to assignments.

(5) Extension of time for drilling.

(6) Approval of instruments providing for the payment of overriding royalty.

(7) Approval of unit and communitization agreements.

(8) Assignment of separate horizons.

(9) Approval of the cancellation of oil and gas leases for violation of the terms thereof.

(10) Approval of well-spacing orders.

NED O. THOMPSON,
Acting Area Director.

Approved: December 23, 1964.

JOHN O. CROW,
Deputy Commissioner.

[F.R. Doc. 64-13511; Filed, Dec. 31, 1964; 8:45 a.m.]

Office of the Secretary

[Order 2508, Amdt. 63]

COMMISSIONER OF INDIAN AFFAIRS

Delegation of Authority With Respect to Authority Under Specific Acts

Section 30 of Order 2508, as amended (20 F.R. 3834, 5106; 21 F.R. 7027, 7655; 24 F.R. 272; 25 F.R. 436, 575, 729, 1385, 1994, 4655, 7192, 8892; 26 F.R. 6944; 27 F.R. 2328, 11560; 28 F.R. 1072, 2199, 2927, 5687, 12633; 29 F.R. 7611), is further amended by the addition of a new subparagraph under paragraph (a) to read as follows:

SEC. 30. *Authority under specific acts.* (a) In addition to any authority delegated elsewhere in this order, the Commissioner of Indian Affairs, except as provided in paragraph (b) of this section, is authorized to perform the functions and exercise the authority vested in the Secretary of the Interior by the following acts or portions of acts and any acts amendatory thereof.

(28) The Acts of August 10, 1964 (Public Law 88-413; 78 Stat. 387), authorizing sale of certain Eastern Shawnee Tribal land in Oklahoma; August 11, 1964 (Public Law 88-418; 78 Stat. 389), authorizing sale of certain Cheyenne River Sioux Tribal lands; August 11, 1964 (Public Law 88-421; 78 Stat. 392), authorizing conveyance of certain lands to the Citizen Band of Potawatomi Indians and Absentee-Shawnee Tribe; August 14, 1964 (Public Law 88-429; 78 Stat. 438), authorizing conveyance of certain lands to the city of Saxman, Alaska; and August 20, 1964 (Public Law 88-453; 78 Stat. 534), authorizing sale of Enterprise Rancheria No. 2 to the State of California.

STEWART L. UDALL,
Secretary of the Interior.

DECEMBER 22, 1964.

[F.R. Doc. 64-13508; Filed, Dec. 31, 1964; 8:45 a.m.]

[Order 2508, Amdt. 64]

COMMISSIONER OF INDIAN AFFAIRS

Delegation of Authority With Respect to Authority Under Specific Acts

Section 13(aa)(2) of Order 2508 is amended to read as follows:

SEC. 13. *Lands and minerals.* The Commissioner may exercise the authority of the Secretary in relation to the following classes of matters:

(aa) All those matters with respect to lands, improvements and interests therein, as provided in the following acts:

(2) July 28, 1955 (69 Stat. 392), entitled "To authorize the purchase, sale, and exchange of certain Indian lands on the Yakima Indian Reservation, and for other purposes," as amended by the Act of August 31, 1964 (78 Stat. 747).

STEWART L. UDALL,
Secretary of the Interior.

DECEMBER 22, 1964.

[F.R. Doc. 64-13509; Filed, Dec. 31, 1964; 8:45 a.m.]

[Order 2508, Amdt. 65]

COMMISSIONER OF INDIAN AFFAIRS

Delegation of Authority With Respect to Lands and Minerals

Section 13 of Order No. 2508, as amended (14 F.R. 258; 16 F.R. 11974; 17 F.R. 6418; 19 F.R. 34, 4585; 20 F.R. 167, 552; 21 F.R. 7655; 22 F.R. 2017, 3474; 23 F.R. 90, 1938; 24 F.R. 3703, 9514; 25 F.R. 2602, 5127, 7192; 26 F.R. 3207; 27 F.R. 987; 29 F.R. 5516), is further amended by addition of a new subparagraph to read as follows:

SEC. 13. *Lands and minerals* * * * (gg) Authorization for the Commissioner of the Bureau of Indian Affairs to exercise the authority vested in the Secretary of the Interior under applicable law to approve brokerage and other contracts entered into by individual Indians or their legal representatives relating to trust or restricted Indian property of the Agua Caliente (Palm Springs) Indian Reservation.

STEWART L. UDALL,
Secretary of the Interior.

DECEMBER 23, 1964.

[F.R. Doc. 64-13510; Filed, Dec. 31, 1964; 8:45 a.m.]

DEPARTMENT OF COMMERCE

National Bureau of Standards

NBS RADIO STATIONS

Standard Frequency and Time Broadcasts

In accordance with National Bureau of Standards policy of giving monthly notices regarding changes of phases in seconds pulses, notice is hereby given that there will be no change in the phase of seconds pulses emitted from radio station WWVB, Fort Collins, Colo. on 1 February 1965.

Notice is also hereby given that there will be no change in the phase of time pulses emitted from radio stations WWV, Greenbelt, Maryland; and WWVH, Maui, Hawaii on 1 February 1965. These pulses at present occur at intervals which are longer than one second by 150 parts in 10^6 . This is due to the offset maintained in frequency, as coordinated by the Bureau de l'Heure (BIH).

A. V. ASTIN,
Director.

[P.R. Doc. 64-13539; Filed, Dec. 31, 1964;
8:47 a.m.]

CIVIL AERONAUTICS BOARD

[Docket No. 15353; Order E-21619]

INTERNATIONAL AIR TRANSPORT ASSOCIATION

Order Relating to Specific Commodity Rates

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., on the 28th day of December 1964.

Agreements adopted by Traffic Conference 1 and Joint Conference 1-2 of the International Air Transport Association relating to specific commodity rates, Docket 15353, Agreement C.A.B. 17666, R-75 through R-77; Agreement C.A.B. 17868, R-18.

There have been filed with the Board, pursuant to section 412(a) of the Federal Aviation Act of 1958 (the Act) and Part 261 of the Board's Economic Regulations, agreements between various air carriers, foreign air carriers, and other carriers, embodied in the resolutions of Traffic Conference 1 and Joint Conference 1-2 of the International Air Transport Association (IATA), and adopted pursuant to the provisions of Resolution 590 (Commodity Rates Board).

The agreements, adopted pursuant to unprotested notices to the carriers, relate to specific commodity rates. As indicated in the attachment hereto,¹ the agreements amend one commodity description, name additional rates, and extend the validity of certain rates currently effective.

The Board, acting pursuant to sections 102, 204(a), and 412 of the Act, does not find the subject agreements to be adverse to the public interest or in violation of the Act, provided that approval thereof is conditioned as hereinafter ordered.

Accordingly, it is ordered:

That Agreement C.A.B. 17666, R-75, R-76, and R-77, and C.A.B. 17868, R-18, be approved, provided that such approval shall not constitute approval of the specific commodity descriptions contained therein for purposes of tariff publication.

Any air carrier party to the agreements, or any interested person, may, within 15 days from the date of service of this order, submit statements in writing containing reasons deemed appropriate, together with supporting data, in support of or in opposition to the Board's action herein. An original and nineteen

copies of the statements should be filed with the Board's Docket Section. The Board may, upon consideration of any such statements filed, modify or rescind its action herein by subsequent order.

This order will be published in the FEDERAL REGISTER.

By the Civil Aeronautics Board.

[SEAL] HAROLD R. SANDERSON,
Secretary.

[P.R. Doc. 64-13528; Filed, Dec. 31, 1964;
8:46 a.m.]

CIVIL SERVICE COMMISSION

MINIMUM EDUCATIONAL REQUIREMENTS, METALLURGY SERIES

Notice of Decision To Revise Prescribed Requirements

In accordance with section 5 of the Veterans' Preference Act of 1944, as amended, the Civil Service Commission has decided that previously approved minimum educational requirements for positions in the Metallurgy Series, GS-1321-0, should be superseded by revised requirements. Identification of the superseded requirements, the revised requirements, the duties of the positions, and the reasons for the Commission's decision that these requirements are necessary are set forth below.

THE METALLURGY SERIES, GS-1321-0 (ALL GRADES AND SPECIALIZATIONS)

Superseded requirements. The following material supersedes that previously appearing in 5 CFR 24.45 (published originally in 20 F.R. 9380, December 15, 1955) and 5 CFR 24.133 (published originally in 21 F.R. 3144, May 11, 1956).

Minimum educational requirements. Candidates for positions involving primarily research or similar advanced scientific work must show successful completion of A.

Candidates for positions other than those involving primarily research or similar advanced scientific work must show successful completion of A or B.

A. A full 4-year or longer course in an accredited college or university which satisfies the requirements for a bachelor's or higher degree including courses in metallurgical subjects consisting of lectures, recitations, and appropriate practical laboratory work totaling 20 semester hours; or

B. Courses in metallurgical subjects, in an accredited college or university, consisting of lectures, recitations, and appropriate practical laboratory work totaling 20 semester hours; plus additional appropriate experience or education which, when combined with the 20 semester hours in metallurgical subjects, 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 A.

In either A or B above, the 20 semester hours of metallurgical subjects must have been acceptable for credit toward

the completion of a curriculum leading to a bachelor's or higher degree in metallurgy or metallurgical engineering at an accredited college or university.

Duties. Metallurgists plan, direct, conduct, or advise on research, development, analytical, evaluation, production and other work that requires full professional knowledge of metallurgy.

Metallurgists are concerned with the procedures for recovering metals from ores and with the properties and behavior of metals and alloys and their conversion to economically useful forms. They engage in the study of metal structure, the development of methods for extracting and refining metals from ores or concentrates, the development of new alloys, the diagnosis of causes for failures of metals in service, and the investigation of various essential metal and alloy properties.

Reasons for establishing requirements. A thorough knowledge of the principles and theories of metallurgy and a sound understanding of related sciences, particularly chemistry, physics, and mathematics, are indispensable for interpreting experimental data, establishing new processes, developing new products, and formulating new concepts in metallurgy. Metallurgists must be able to bring established scientific concepts and new scientific knowledge to bear on the problems met in research.

The only method by which the necessary knowledge and training may be attained is through a directed course of study in an accredited college or university with scientific libraries, well-equipped laboratories, and thoroughly trained faculty where the student's progress may be competently guided and evaluated.

UNITED STATES CIVIL SERVICE COMMISSION,

[SEAL] MARY V. WENZEL,
Executive Assistant to
the Commissioners.

[P.R. Doc. 64-13524; Filed, Dec. 31, 1964;
8:46 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 15705 etc.; FCC 64M-1286]

CHARLES VANDA ET AL.

Order Continuing Hearing

In re applications of Charles Vanda, Henderson, Nev., Docket No. 15705, File No. BPCT-3315; Sovereign Television Corporation, Henderson, Nev., Docket No. 15706, File No. BPCT-3323; Boulder City Television, Inc., Boulder City, Nev., Docket No. 15707, File No. BPCT-3327; Vegas Valley Broadcasting Co., Boulder City, Nev., Docket No. 15747, File No. BPCT-3454; for construction permit for new television broadcast station.

As a result of agreements reached at a prehearing conference held this 28th day of December 1964: *It is ordered*, That the hearing originally scheduled to commence on February 1, 1965, is rescheduled to commence on February 23, 1965,

¹ Filed as part of the original document.

in the Commission's offices, Washington, D.C.

Dated: December 28, 1964.

Released: December 29, 1964.

FEDERAL COMMUNICATIONS
COMMISSION

[SEAL] BEN F. WAPLE,
Secretary.

[F.R. Doc. 64-13532; Filed, Dec. 31, 1964;
8:46 a.m.]

OFFICE OF EMERGENCY PLANNING LOUISIANA

Notice of Major Disaster; Amendment

Notice of Major Disaster for the State of Louisiana, dated October 12, 1964, and published October 21, 1964 (29 F.R. 14450), is hereby amended to include the following parish among those parishes determined to have been adversely affected by the catastrophe declared a major disaster by the President in his declaration of October 3, 1964:

St. Bernard.

Dated: December 24, 1964.

EDWARD A. McDERMOTT,
Director,
Office of Emergency Planning.

[F.R. Doc. 64-13527; Filed, Dec. 31, 1964;
8:46 a.m.]

SECURITIES AND EXCHANGE COMMISSION

[File No. 812-1745]

TEXAS FUND, INC.

Notice of Filing of Application for Order Exempting Sale by Open-End Company of Shares at Other Than Public Offering Price

DECEMBER 28, 1964.

Notice is hereby given that Texas Fund, Incorporated ("Texas"), 717 Travis Street, Houston, Tex., 77002, a registered open-end investment company has filed an application pursuant to section 6(c) of the Investment Company Act of 1940 ("Act"). Texas requests an order of the Commission exempting from the provisions of section 22(d) of the Act the proposed issuance of its shares at net asset value for substantially all the cash and securities of The Collinge Co., Inc. ("Collinge"). Since the sale of shares of Texas will be other than at the public offering price, which normally includes a sales charge, an exemption is deemed necessary. All interested persons are referred to the application as filed with the Commission for a complete statement of the representations therein which are summarized below.

Shares of Texas are offered to the public on a continuous basis at net asset value plus varying sales charges dependent upon the amount purchased. As

of November 4, 1964, the net assets of Texas amounted to approximately \$77.2 million.

Collinge is an Indiana corporation with four shareholders. Its principal assets are cash and securities. Collinge has engaged in the business of investing its funds since September 1, 1955.

Pursuant to an agreement between Texas and Collinge, substantially all the cash and securities of Collinge, as specified in the agreement, having a value of approximately \$1.6 million on November 4, 1964, after deducting all liabilities and estimated future expense, will be transferred to Texas in exchange for shares of Texas. Texas will deliver to Collinge, in exchange for the assets of Collinge, the number of shares of Texas which is equal to the number of times the net asset value per share of Texas in effect at the close of business on the day preceding the closing can be divided into ninety-nine and two-tenths percent (99.2 percent) of the then value of Collinge's assets. An amount equal to the remaining eight-tenths of one percent (0.8 percent) will be paid to the broker-dealer who negotiated the transaction. The closing will take place on January 27, 1965, or at such other time as may be mutually agreed upon.

It is stated in the application that it is believed that this is a tax-free reorganization and that Texas will take over the basis of Collinge in the portfolio securities it is acquiring. It is further stated that the percentage of net unrealized appreciation of Texas' portfolio (41.02 percent) is higher than the percentage of unrealized appreciation of portfolio securities of Collinge (13.67 percent) so that protection of the shareholders of Texas does not require an adjustment for potential tax liability upon sale by Texas of the portfolio securities of Collinge.

The application recites that the terms of the entire transaction were arrived at through arm's-length bargaining between Texas and Collinge. The application further states that there is no affiliation or relationship of any kind between the officers and directors of Texas and the officers, directors, and stockholders of Collinge.

Notice is further given that any interested person may, not later than January 15, 1965, at 5:30 p.m., submit to the Commission in writing a request for a hearing on the matter accompanied by a statement as to the nature of his interest, the reason for such request and the issues of fact or law proposed to be controverted, or he may request that he be notified if the Commission should order a hearing thereon. Any such communication should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request shall be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon Texas at the address stated above. Proof of such service (by affidavit or in case of an attorney-at-law by certificate) shall be filed contemporaneously with the request. At any time after said date, as provided by Rule 0-5 of the rules and regulations promulgated

under the Act, an order disposing of the application herein may be issued by the Commission upon the basis of the information stated in said application, unless an order for hearing upon said application be issued upon request or upon the Commission's own motion.

For the Commission (pursuant to delegated authority).

[SEAL] ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 64-13505; Filed, Dec. 31, 1964;
8:45 a.m.]

[File No. 70-4246]

NEW ENGLAND ELECTRIC SYSTEM

Notice of Proposed Issuance and Sale of Common Stock to Common Stockholders, Pursuant to a Rights Offering, and to Employees

DECEMBER 28, 1964.

Notice is hereby given that New England Electric System ("NEES") 441 Stuart Street, Boston, Mass., 02116, a registered holding company, has filed a declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a), 7, and 12(c) of the Act and Rules 42 and 50 promulgated thereunder as applicable to the proposed transactions. All interested persons are referred to the declaration, on file at the office of the Commission, for a statement of the transactions proposed therein which are summarized below.

NEES proposes to issue and sell 698,227 additional shares of its authorized \$1 par value common stock pursuant to a rights offering to its common stockholders on the basis of one additional share for each twenty shares held on the record date, which will be the effective date of the registration statement under the Securities Act of 1933 with respect to the proposed issuance and sale. The rights to subscribe are to be evidenced by transferable warrants. In case the number of shares of common stock held of record by any shareholder is not evenly divisible by 20, the warrant such shareholder will receive will entitle him to subscribe for one additional share of common stock in lieu of any fraction thereof. If, as a result, subscriptions pursuant to the rights offering to shareholders should exceed 698,227 shares of common stock computed on a strict one-for-twenty offering, additional shares will be issued to the extent necessary.

Any shares not subscribed for by stockholders will be offered by NEES, at the subscription price, to eligible full-time employees of NEES and of its subsidiaries. Eligible employees may subscribe for not less than 20 shares nor more than 300 shares, subject to proration in the event that there are not sufficient shares to satisfy all requests. Up to 90 percent of an employee's total subscription price may be paid through a personal loan from State Street Bank and Trust Co., such loan to be repaid, with interest, through payroll deductions over not more than an 18-month period. The principal amount of the loan may not exceed

15 percent of the subscribing employee's annual base rate of pay.

The company proposes to invite bids for any unsubscribed shares pursuant to Rule 50 promulgated under the Act. At least twenty hours prior to the time to submit bids, NEES will set the subscription price for the offers to stockholders and to employees, and such subscription price will also be the price for the unsubscribed shares, if any, to the underwriters. Such subscription price will be not more than the last reported sale price on the New York Stock Exchange prior to the fixing thereof and not less than such last reported sale price less 10 percent. NEES shares are currently selling at approximately \$28.50 per share on the New York Stock Exchange.

It is also proposed that NEES may, if it is considered desirable, stabilize the price of its common stock by the purchase of not more than 34,911 shares on the New York Stock Exchange, the Boston Stock Exchange, in the open market, or otherwise, on the three business days preceding and on the day on which bids are opened, up to and until a bid is accepted or all bids are rejected. Under the underwriting agreement, any such shares, together with the unsubscribed shares, will be taken up by the underwriters at the subscription price.

The proceeds to be derived by NEES from the proposed sale of the additional shares of common stock will be applied in furtherance of the construction programs of its subsidiary companies, either through loans or the purchase of additional shares of their capital stocks; any balance is to be used for general corporate purposes of NEES.

The fees and expenses of the proposed issuance and distribution are estimated by NEES at \$270,000, including \$55,000 for incidental services to be performed at cost by New England Power Service Company, a subsidiary service company, \$20,000 for services of the transfer agents and registrars, \$110,000 for services of the subscription agents, and \$5,000 for accounting fees. The fees and expenses of counsel for the underwriters, which are to be supplied by amendment, will be paid by the successful bidder.

The declaration states that no State commission and no Federal commission, other than this Commission, has jurisdiction over the proposed transactions.

Notice is further given that any interested person may, not later than January 19, 1965, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request and the issues of fact or law raised by said declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the declarant at the above-stated address, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporane-

ously with the request. At any time after said date, the declaration, as filed or as it may be amended, may be permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 64-13529; Filed, Dec. 31, 1964;
8:46 a.m.]

[File No. 70-4247]

NEW ORLEANS PUBLIC SERVICE INC. AND MIDDLE SOUTH UTILITIES, INC.

Notice of Proposed Transfer by Subsidiary Company of a Portion of Earned Surplus to Common Capital Stock Account and Proposed Issuance of Common Stock to Holding Company

DECEMBER 28, 1964.

Notice is hereby given that Middle South Utilities, Inc. ("Middle South"), 280 Park Avenue, New York, N.Y., 10017, a registered holding company, and its public-utility subsidiary company, New Orleans Public Service Inc. ("New Orleans") 317 Baronne Street, New Orleans, La., 70160, have filed a joint application-declaration with this Commission pursuant to the Public Utility Holding Company Act of 1935 ("Act"), designating sections 6(a) (2), 7, 9, 10, and 12 of the Act as applicable to the proposed transactions. All interested persons are referred to the joint application-declaration, on file at the office of the Commission, for a statement of the transactions therein proposed which are summarized below.

New Orleans proposes to transfer \$790,298.60 from its earned surplus account to its common capital stock account. Contemporaneously with such transfer, New Orleans proposes to issue and Middle South, which owns the presently outstanding 3,941,970.14 shares of New Orleans' common stock, proposes to acquire, 79,029.86 additional shares of authorized common stock having an aggregate par value of \$790,298.60. Middle South will make no change in its investment account other than to restate the number of shares representing its investment in New Orleans.

As of October 31, 1964, the earned surplus of New Orleans amounted to \$16,791,629. During the 12 months ending on such date dividends on New Orleans' preferred stock (all publicly held) amounted to \$631,140, and common stock dividends, amounting to \$3,531,792, were paid.

It is stated that the issuance of such common stock will permit New Orleans to convert into permanent capital a portion of its earned surplus.

The joint application-declaration states that no State regulatory commission and no Federal commission, other

than this Commission, has jurisdiction over the proposed transactions. It is also stated that no special and separable expenses are anticipated in connection with the proposed transactions, except for Federal stamp taxes payable by New Orleans in the amount of \$790.30.

Notice is further given that any interested person may, not later than January 21, 1965, request in writing that a hearing be held on such matter, stating the nature of his interest, the reasons for such request, and the issues of fact or law raised by said joint application-declaration which he desires to controvert; or he may request that he be notified if the Commission should order a hearing thereon. Any such request should be addressed: Secretary, Securities and Exchange Commission, Washington, D.C., 20549. A copy of such request should be served personally or by mail (air mail if the person being served is located more than 500 miles from the point of mailing) upon the applicants-declarants at the above-stated addresses, and proof of service (by affidavit or, in case of an attorney at law, by certificate) should be filed contemporaneously with the request. At any time after said date, the joint application-declaration, as filed or as amended, may be granted and permitted to become effective as provided in Rule 23 of the general rules and regulations promulgated under the Act, or the Commission may grant exemption from such rules as provided in Rules 20(a) and 100 thereof or take such other action as it may deem appropriate.

For the Commission (pursuant to delegated authority).

[SEAL]

ORVAL L. DuBOIS,
Secretary.

[F.R. Doc. 64-13530; Filed, Dec. 31, 1964;
8:46 a.m.]

SMALL BUSINESS ADMINISTRATION

[Delegation of Authority 30-XII, Amdt. 3]

LOS ANGELES REGIONAL OFFICE

Delegation of Authority To Conduct Program Activities

Pursuant to the authority delegated to the Regional Director by Delegation of Authority No. 30 (Revision 9), as amended, 29 F.R. 11777, 12570, 13354 and 14093; Delegation of Authority No. 30-XII; as amended, 29 F.R. 12497, 12859 and 15063 is hereby further amended by revising Items I.K.5. and II to read as follows:

I. * * *

K. * * *

5. Item I.C.12—Honolulu and Phoenix—Only the authority for servicing, administration and collection, including subitems a., b., and c. (Except, Phoenix may not exercise subitem c.) San Francisco—the authority for administration, servicing, collection and liquidation including subitems a., b., and c.

II. * * * (Except San Francisco may redelegate to the appropriate positions within the Branch Office the specific authority in Items I.K.1., I.K.2.a., I.K.5., I.K.7. and I.K.8.).

Effective date: December 2, 1964.

ALVIN P. MEYERS,
Regional Director,
Los Angeles Regional Office.

[F.R. Doc. 64-13525; Filed, Dec. 31, 1964; 8:46 a.m.]

[Delegation of Authority 30-XII-SF, Amdt. 1]

**SAN FRANCISCO, CALIFORNIA,
BRANCH OFFICE**

**Delegation of Authority To Conduct
Program Activities**

Pursuant to the authority delegated to the Branch Manager by Delegation of Authority No. 30-XII, 29 F.R. 12497, as amended, 29 F.R. 12859, 15063, Delegation of Authority No. 30-XII-SF, 29 F.R. 15307 is hereby further amended by revising Item I.A.10. to read as follows:

A. Loan Specialist Supervising Branch Liquidation Staff.

10. To take all necessary actions in connection with the administration, servicing, collection and liquidation of all loans and other obligations or assets, including collateral purchased; and to do

and perform and to assent to the doing and performance of, all and every act and thing requisite and proper to effectuate the granted powers, including, without limiting the generality of the foregoing:

Effective date: December 2, 1964.

ROBERT B. STRAUSS,
Branch Manager,
San Francisco Branch Office.

[F.R. Doc. 64-13526; Filed, Dec. 31, 1964; 8:46 a.m.]

FEDERAL POWER COMMISSION

[Docket Nos. RI65-405 etc.]

**GENERAL AMERICAN OIL COMPANY
OF TEXAS ET AL.**

**Order Providing for Hearings on and
Suspension of Proposed Changes in
Rates¹**

DECEMBER 23, 1964.

The Respondents named herein have filed proposed increased rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

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

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act.

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

(D) Notices of intervention or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 8, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket Nos.
									Rate in effect	Proposed increased rate	
RI65-405...	General American Oil Co. of Texas, Meadows Building, Dallas, Tex. 75296. Attn: Mr. W. P. Barnes.	63	5	United Gas Pipe Line Co. (St. Martinville Field, St. Martin Parish, La.) (South Louisiana).	\$607	11-30-64	* 1-1-65	6-1-65	\$ 22.0	\$ 22.5	RI6-392.
RI65-406...	Harkins & Co., (Operator), et al., Post Office Box 1490, Alice, Tex.	1	4	Tennessee Gas Transmission Co. (Piedre Lumbre Field, Duval County, Tex.) (R.R. District No. 4).	1,008	12-1-64	* 1-1-65	6-1-65	** 14.5	** 15.0	
RI65-407...	Joseph E. Seagraves & Sons, Inc., d.b.a. Texas Pacific Oil Co., Post Office Box 747, Dallas, Tex., 75221. Attn: Mr. Stanley F. Davis, Jr.	3	4	United Fuel Gas Co., (Deep Lake Field, Cameron Parish, La.) (South Louisiana).	23,096	11-23-64	* 12-24-64	5-24-65	** 21.1	** 21.5	RI64-449.
RI65-408...	Nafco Oil and Gas Inc., 922 American Building, Houston, Tex., 77002. Attn: Mr. Lloyd J. Taylor.	13	2	Natural Gas Pipeline Co. of America (Old Ocean Field, Brazoria County, Tex.) (R.R. District No. 3).	11,100	11-23-64	* 12-24-64	5-24-65	** 15.5	** 16.5	
RI65-409...	Shell Oil Co., 50 West 50th Street, New York 20, N.Y. Attn: Mr. F. C. Sweet.	297	1	South Texas Natural Gas Gathering Co. (McAllen Ranch Field, Hidalgo County, Tex.).	136,370	11-30-64	* 1-1-65	6-1-65	** 16.0	** 17.0	
	do.	298	1	South Texas Natural Gas Gathering Co. (Schmidt Field, Hidalgo County, Tex.) (R.R. District No. 4).	8,210	11-30-64	1-1-65	6-1-65	** 16.0	** 17.0	
	do.	292	1	South Texas Natural Gas Gathering Co. (Monte Christo Field, Hidalgo County, Tex.) (R.R. District No. 4).	7,300	11-30-64	1-1-65	6-1-65	** 16.0	** 17.0	

See footnotes at end of table.

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

APPENDIX A—Continued

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI65-410...	Marathon Oil Co. (Operator), et al., 529 South Main Street, Findlay, Ohio.	57	10	Cities Service Gas Co. (Rhodes Field, Barber and Kiowa Counties, Kans.).	5,236	11-30-64	12-31-64	5-31-65	12.0	14.0	
			11				12-31-64	5-31-65			
RI65-411...	do.	59	6	Cities Service Gas Co. (Hardner Field, Barber County, Kans.).	1,758	11-30-64	12-31-64	5-31-65	12.0	14.0	
			7				12-31-64	5-31-65			
RI65-412...	Helmerich & Payne, Inc., Utica at 21st, Tulsa 14, Okla.	13	6	Panhandle Eastern Pipe Line Co. (SE Liberal Field, Seward County, Kans.).	1,237	12-3-64	1-3-65	6-3-65	15.0	16.0	RI60-342.
RI65-413...	British American Oil Producing Co., Post Office Box 749, Dallas 1, Tex.	33	2	Cities Service Gas Co. (Eureka Field, Grant County, Okla.) (Oklahoma "Other" Area).	240	12-4-64	1-4-65	6-4-65	13.0	14.0	RI60-160.
RI65-413...	Alfred C. Glassell, Jr., et al., 2300 First National Bank Building, Houston, Tex., 77002.	1	7	Tennessee Gas Transmission Co. (Carthage Field, Panola County, Tex.) (R.R. District No. 6).	100,103	12-2-64	1-2-65	6-2-65	14.4248	15.4248	
RI65-414...	Nemours Corp. (Operator), et al., 1306 Petroleum Tower, Shreveport, La., 71101.	3	7	Tennessee Gas Transmission Co. (Bethany Area, Panola County, Tex.) (R.R. District No. 6).	21,810	11-25-64	12-26-64	5-26-65	14.4248	15.4248	
RI65-415...	Renappi Corp. (Operator), et al., 1306 Petroleum Tower, Shreveport, La., 71101.	2	7	Tennessee Gas Transmission Co. (Bethany Area, Panola County, Tex.) (R.R. District No. 10).	12,000	11-25-64	12-26-64	5-26-65	14.4248	15.4248	
RI65-416...	E. S. Villines, et al., 3 Laurel Drive, Wichita, Kans.	2	1	Panhandle Eastern Pipe Line Co. (Hugoton Field, Seward County, Kans.).	430	11-27-64	12-28-64	5-28-65	11.0	12.0	
RI65-417...	Barrett Petroleum Co. (Operator), et al., 423 Masonic Building, Shawnee, Okla.	1	2	Cities Service Gas Co. (Eureka Field, Grant County, Okla.) (Oklahoma "Other" Area).	5,276	12-7-64	1-7-65	6-7-65	13.0	14.0	G-20438.
RI65-418...	Hassle Hunt Trust, 709 Mercantile Bank Building, Dallas, Tex., 75201. Attn: Mr. Donald K. Young.	30	2	El Paso Natural Gas Co. (North Puckett (Ellenburger) Field, Pecos County, Tex.) (R.R. District No. 8) (Permian Basin Area).	8,290	12-1-64	1-1-65	6-1-65	16.0	18.2430	

¹ The stated effective date is the effective date requested by Respondent.

² Periodic rate increase.

³ Pressure base is 15.025 psia.

⁴ Inclusive of 1.5 cents per Mcf tax reimbursement.

⁵ Pressure base is 14.65 psia.

⁶ Rate is subject to a downward Btu adjustment.

⁷ Rate is the result of a settlement proposal approved by Commission order issued Aug. 25, 1960, in Docket No. G-19832.

⁸ The stated effective date is the first day after expiration of the required statutory notice.

⁹ Initial rate.

¹⁰ Renegotiated rate increase.

¹¹ Letter Agreement, dated Oct. 30, 1964, provides for increased rate.

¹² Includes allowance for tax reimbursement and dehydration charge to buyer.

¹³ Settlement rate pursuant to Commission order issued Nov. 30, 1963, in Docket Nos. G-9278 and RI60-130.

¹⁴ Includes 0.75 cents per Mcf deduction by buyer for dehydrating gas (Lewis "A" and "B" Units) and 1.5 cent per Mcf deduction by buyer for compressing gas (Lewis "B" Unit).

[Docket Nos. RI65-402 etc.]

SOHIO PETROLEUM CO. ET AL.

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

DECEMBER 23, 1964.

The Respondents named herein have filed proposed changes in rates and charges of currently effective rate schedules for sales of natural gas under Commission jurisdiction, as set forth in Appendix A hereof.

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

The Commission finds: It is in the public interest and consistent with the Natural Gas Act that the Commission enter upon hearings regarding the lawfulness of the proposed changes, and that the

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

supplements herein be suspended and their use be deferred as ordered below.

The Commission orders:

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

(B) Pending hearings and decisions thereon, the rate supplements herein are suspended and their use deferred until date shown in the "Date Suspended Until" column, and thereafter until made effective as prescribed by the Natural Gas Act: *Provided, however,* That the supplements to the rate schedules filed by Respondents, as set forth herein, shall become effective subject to refund on the date and in the manner herein prescribed if within 20 days from the date of the issuance of this order Respondents shall each execute and file under its above-designated docket number with the Secretary of the Commission its agreement and undertaking to comply with the refunding and reporting pro-

cedure required by the Natural Gas Act and § 154.102 of the regulations thereunder, accompanied by a certificate showing service of copies thereof upon all purchasers under the rate schedule involved. Unless Respondents are advised to the contrary within 15 days after the filing of their respective agreements and undertakings, such agreements and un-

dertakings shall be deemed to have been accepted.

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

(D) Notices of intervention or petitions to intervene may be filed with the

Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 and 1.37(f)) on or before February 8, 1965.

By the Commission.

[SEAL] JOSEPH H. GUTRIDE,
Secretary.

APPENDIX A

Docket No.	Respondent	Rate schedule No.	Supplement No.	Purchaser and producing area	Amount of annual increase	Date filing tendered	Effective date unless suspended	Date suspended until—	Cents per Mcf		Rate in effect subject to refund in docket No.
									Rate in effect	Proposed increased rate	
RI65-402...	Sohio Petroleum Co., 970 First National Annex, Oklahoma City, Okla.	104	1	Cities Service Gas Co. (Northeast Waynoka Field, Woods County, Okla.) (Oklahoma "Other" Area).	\$490	12-3-64	* 1- 3-65	* 1-4-65	** 13.0	*** 14.0	
RI65-403...	Katex Oil Co., 1404 South Cedar St., Borger, Tex.	3	1	Colorado Interstate Gas Co. (West Panhandle Field, Moore County, Tex.) (R.R. District No. 10).	639	11-30-64	* 12-31-64	* 1-1-65	† 12.0	*** 13.0	
RI65-404...	Shell Oil Co., 59 West 30th St., New York 20, N.Y.	296	1	Cities Service Gas Co. (Northeast Waynoka Field, Woods County, Okla.) (Oklahoma "Other" Area).	3,088	11-30-64	* 1- 1-65	* 1-2-65	** 13.0	*** 14.0	

* The stated effective date is the first day after expiration of the required statutory notice.

** The suspension period is limited to 1 day.

† Periodic rate increase.

‡ Pressure base is 14.65 psia.

* Includes 0.75 cent per Mcf deducted by buyer for dehydrating gas. (Rate also subject to 1.5 cents deduction if buyer compresses gas.)

† Rate subject to a downward Btu adjustment.

** The stated effective date is the effective date requested by Respondent.

‡ Includes 0.75 cent per Mcf dehydration charge deducted by buyer.

The contracts related to the rate filings proposed by Sohio Petroleum Company (Sohio), Katex Oil Company (Katex) and Shell Oil Company (Shell) were executed subsequent to September 28, 1960, the date of issuance of the Commission's Statement of General Policy No. 61-1, as amended, and the proposed increased rates are above the applicable area ceiling for increased rates but do not exceed the applicable ceiling price for initial rates in the area involved. Under the circumstances, we believe that Sohio, Katex and Shell's rate filings should be suspended for one day from the date shown in the effective date column on the attached Appendix "A".

Sohio requests an effective date of January 1, 1965, for its proposed rate increase. Good cause has not been shown for waiving the 30-day notice requirement provided in section 4(d) of the Natural Gas Act to permit an earlier effective date for Sohio's rate filing and such request is denied.

[F.R. Doc. 64-13458; Filed, Dec. 31, 1964; 8:45 a.m.]

[Docket Nos. G-6663, etc.]

SUN OIL CO. ET AL.

Notice of Applications for Certificates, Abandonment of Service and Petitions To Amend Certificates¹

DECEMBER 22, 1964.

Take notice that each of the Applicants listed herein has filed an application or petition pursuant to section 7 of the Natural Gas Act for authorization to sell natural gas in interstate commerce or to abandon service heretofore authorized as described herein, all as more fully described in the respective applications and amendments which are on file with the Commission and open to public inspection.

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

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington, D.C., 20426, in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before January 22, 1965.

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act and the Commission's rules of practice and procedure, a hearing will be held without further notice before the Commission on all applications in which no protest or petition to intervene is filed within the time required herein, if the Commis-

sion on its own review of the matter believes that a grant of the certificates or the authorization for the proposed abandonment is required by the public convenience and necessity. Where a protest or petition for leave to intervene is timely filed, or where the Commission on its own motion believes that a formal hearing is required, further notice of such hearing will be duly given.

Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicants to appear or be represented at the hearing.

JOSEPH H. GUTRIDE,
Secretary.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
G-6663 C 12-10-64	Sun Oil Co.	Northern Natural Gas Co., Eumont Pool, Lea County, N. Mex.	† 12.0212	15.025
G-10325 D 2-27-64 ¹	Socony Mobil Oil Co., Inc.	El Paso Natural Gas Co., Hogback and Green River Bend Fields, Lincoln and Sublette Counties, Wyo.	Assigned	
G-12012 C 12-14-64	The Pure Oil Co.	Northern Natural Gas Co., Harper Ranch Field, Clark County, Kans.	15.0	14.65
G-12012 D 12-14-64	The Pure Oil Co. (partial abandonment).	do.	Depleted	
G-16103 C 12-10-64 ²	The British-American Oil Producing Co.	Transwestern Pipeline Co., Helmer South Area, Pecos County, Tex.	17.0	14.65
G-17831 E 12-7-64	MacDonald Oil Corp., et al. (successor to Fain-Porter Drilling Corp.).	Natural Gas Pipeline Co. of America, South Rainey Field, Washita County, Okla.	15.0	14.65
CI60-475 ³ C 4-30-64 ⁴	Beico Petroleum Corp. (partial succession).	El Paso Natural Gas Co., Green River Bend Unit, Lincoln and Sublette Counties, Wyo.	* 15.384	15.025
CI62-333 D 12-11-64 ⁵	Paul L. Britton, Jr. (Operator), et al.	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	Assigned	
CI63-36 ⁶ C 10-20-64	Sun Oil Co. (Southwest Division).	El Paso Natural Gas Co., Brown-Bassett Field, Terrell County, Tex.	* 16.0	14.65
CI63-686 D 12-14-64	Osark-Mahoning Co. (partial abandonment).	Northern Natural Gas Co., Southeast Floris Field, Beaver County, Okla.	Depleted	
CI65-444 A 11-10-64 ⁷ 11-27-64 ⁸	Rutter and Co., Ltd., et al.	El Paso Natural Gas Co., Strawberry Trend Area, Glascock County, Tex.	16.0	14.65

Filing code: A—Initial service.
B—Abandonment.
C—Amendment to add acreage.
D—Amendment to delete acreage.
E—Succession.
F—Partial succession.

See footnotes at end of table.

Docket No. and date filed	Applicant	Purchaser, field and location	Price per Mcf	Pressure base
CI65-547 F 12-8-64	Tenneco Oil Co. (Operator), et al. (successor to Monsanto Chemical Co.).	Tennessee Gas Transmission Co., South Boros Field, Starr County, Tex.	15.6	14.65
CI65-548 A 12-10-64	Carol Daube Sutton, et al.	Lone Star Gas Co., Nellie Field, Stephens County, Okla.	15.0	14.65
CI65-549 A 12-10-64	Jennings Petroleum Corp. and A. M. Van Flick.	Equitable Gas Co., Salt Lick and Otter Districts, Braxton County, W. Va.	25.0	15.325
CI65-550 A 12-10-64	Richard P. Robinson.	Equitable Gas Co., Troy District, Gilmer County, W. Va.	25.0	15.325
CI65-551 A 12-11-64	Amox Petroleum Corp.	Arkansas Louisiana Gas Co., acreage in Blaine County, Okla.	16.8	14.65
CI65-552 F 12-11-64	The Ventura Oil Co. (successor to Paul L. Britton, Jr. (Operator), et al.).	Lake Shore Pipe Line Co., Bushnell Field, Erie County, Pa.	27.0	15.025
CI65-553 F 12-11-64	Socony Mobil Oil Co., Inc., (successor to Belco Petroleum Corp.).	El Paso Natural Gas Co., Tip Top Unit, Sublette County, Wyo.	15.0	15.025
CI65-554 A 12-11-64	Harold A. Yaffee.	El Paso Natural Gas Co., acreage in Rio Arriba County, N. Mex.	12.0	15.025
CI65-555 A 12-14-64	King-Stevenson Gas and Oil Co. ¹¹	Arkansas Louisiana Gas Co., Starr Field, Kingfisher County, Okla.	15.0	14.65
CI65-556 A 12-14-64	Samedan Oil Corp. (Operator), et al.	Natural Gas Pipeline Co. of America, Northwest Quinlan Area, Woodward County, Okla.	17.0	14.65
CI65-557 A 12-14-64	Barnwell Production Co.	Southern Natural Gas Co., Lake St. Catherine Field, Orleans Parish, La.	15.0	15.025
CI65-558 A 12-14-64	Joseph E. Seagram & Sons, Inc., d/b/a Texas Pacific Oil Co.	Natural Gas Pipeline Co. of America, Indian Basin Area, Eddy County, N. Mex.	16.0	14.65
CI65-559 F 12-14-64	R. W. Lange (successor to Dean A. Draper).	Colorado Interstate Gas Co., Kansas-Hugoton Field, Finney County, Kans.	¹² 10.1747 ¹³ 10.2173 ¹⁴ 9.7485	14.65 14.65 15.025
CI65-560 A 12-11-64	The California Co., a division of California Oil Co.	Natural Gas Pipeline Co. of America, West Cameron Blocks 17-49 Field Area, Offshore Cameron Parish, La.	20.083	15.025
CI65-561 A 12-14-64	Capitan Petroleum, Inc.	Natural Gas Pipeline Co. of America, tailgate of the Bluff Gasoline Plant, Roosevelt County, N. Mex.	16.0	14.65
CI65-562 A 12-14-64	Spartan Gas Co.	United Fuel Gas Co., Malden District, Kanawha County, W. Va.	¹⁵ 25.0	15.325
CI65-563 A 12-14-64	do.	United Fuel Gas Co., Poca District, Kanawha County, W. Va.	¹⁵ 25.0	15.325
CI65-564 A 12-16-64	Standard Oil Co. of Texas, a division of California Oil Co.	Natural Gas Pipeline Co. of America, Indian Basin Area, Eddy County, N. Mex.	16.0	14.65
CI65-565 A 12-14-64	John T. Sanford.	Cities Service Gas Co., acreage in Osage County, Okla.	12.0	14.65
CI65-566 A 12-15-64	Willard E. Ferrell, agent for Times Square Oil and Gas Co.	Equitable Gas Co., Troy District, Gilmer County, W. Va.	25.0	15.325
CI65-567 A 12-15-64	Neal Rudder, et al.	Equitable Gas Co., Central District, Doddridge County, W. Va.	25.0	15.325
CI65-568 A 12-15-64	Union Gas Co.	Hope Natural Gas Co., Troy District, Gilmer County, W. Va.	23.0	15.325
CI65-569 A 12-15-64	F. P. Gunn, et al.	Hope Natural Gas Co., Lee District, Calhoun County, W. Va.	25.0	15.325
CI65-570 A 12-7-64	Fairman Drilling Co.	New York State Natural Gas Corp., Big Run Pool, Jefferson County, Pa.	27.5	15.325
CI65-571 A 12-17-64	The Atlantic Refining Co.	El Paso Natural Gas Co., Basin Dakota Field, San Juan County, N. Mex.	13.0	15.025

¹ Deduction of 0.5 cent per Mcf for any gas buyer must compress in order to enter buyer's gathering system.

² Deletes acreage assigned by Socony to Belco Petroleum Corp., Docket No. CI60-475.

³ Resubmission of 11-17-64 filing.

⁴ Application previously noticed 6-1-64 at a rate of 15.0 cents per Mcf—15.025 psia.

⁵ Adds to Delco's contract acreage previously dedicated to Socony Mobil Oil Co., Inc., FPC GRS No. 217, Supp. No. 11.

⁶ Rate increase to 16.41 cents per Mcf—15.025 psia effective subject to refund in Docket No. RI63-401, for acreage previously dedicated.

⁷ Deletes acreage assigned to the Ventura Oil Co.; represents the acreage for which certificate is filed for in Docket No. CI65-552.

⁸ Application previously noticed 10-27-64 in Docket Nos. G-5145, et al. at a rate of 7.5 cents per Mcf after certain deductions by buyer.

⁹ Gross rate of 16.0 cents per Mcf less deductions, pursuant to amendment filed 11-5-64.

¹⁰ Application previously noticed 11-17-64 in Docket Nos. G-7978, et al. at a rate of 16.96 cents per Mcf.

¹¹ Amendment to application filed to reflect a proposed rate of 16.0 cents per Mcf in lieu of the original proposed rate.

¹² Applicant states its willingness to accept certificate on the same terms as specified in the Commission's order issued 3-30-64 in Docket Nos. G-19417, et al.

¹³ Rate for Beach No. 4 well.

¹⁴ Rate for Beach No. 5 well.

¹⁵ Rate for Beach No. 6 well.

¹⁶ Effective rates subject to refund in Docket No. RI64-373.

¹⁷ Includes 2.0 cents transportation charge.

[F.R. Doc. 64-13459; Filed, Dec. 31, 1964; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[Notice 10]

FINANCE APPLICATIONS

DECEMBER 29, 1964.

The following publications are governed by the Interstate Commerce Commission's General Requirements governing notice of filing of applications under sections 20a except (12) and 214 of the Interstate Commerce Act. The Commission's order of May 20, 1964, providing for such publication of notice, was published in the FEDERAL REGISTER issue of July 31, 1964 (29 F.R. 11126) and became effective October 1, 1964.

All hearings and prehearing conferences, if any, will be called at 9:30 a.m., U.S. standard time unless otherwise specified.

F.D. No. 23424—By application filed December 18, 1964, The Pennsylvania Tunnel and Terminal Railroad Co., 22 Federal Street, Camden, N.J., seeks authority under section 20a of the Interstate Commerce Act to issue not exceeding \$50,000,000 of 4.9 percent Secured Notes due December 31, 1991, and The Pennsylvania Railroad Co. proposes to assume obligation and liability in respect of said notes. Applicants' attorney: Edwin K. Taylor, Assistant General Counsel, The Pennsylvania Railroad Co., 1138 Six Penn Center Plaza, Philadelphia, Pa., 19104. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

F.D. No. 23430—By application filed December 21, 1964, Gulf, Mobile and Ohio Railroad Co., 104 St. Francis Street, Mobile, Ala., 36601, seeks authority under Section 20a of the Interstate Commerce Act to assume obligation and liability in respect of not exceeding \$5,640,000 principal amount of Gulf, Mobile and Ohio Railroad Equipment Trust, Series P Certificates. Applicant's attorney: John W. Adams, Jr., General Attorney, Gulf, Mobile & Ohio Railroad Co., Mobile, Ala., 36601. Protests must be filed no later than 15 days from date of publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

[F.R. Doc. 64-13535; Filed, Dec. 31, 1964;
8:47 a.m.]