section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852).

4. The lands have been open to applications and offers under the mineral leasing laws. They will be open to location under the United States mining laws beginning at 10:00 a.m. on October 22, 1962.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Boise, Idaho.

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

APRIL 23, 1962.

[F.R. Doc. 62-4153; Filed, Apr. 27, 1962; 8:46 a.m.]

[Public Land Order 2660]

[Wyoming 087095]

WYOMING

Revoking Stock Driveway Withdrawal (SDW No. 248, Wyoming No. 45)

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, it is ordered as follows:

1. The Departmental order of January 27, 1938, which withdrew the public lands in the following-described areas in Wyoming for stock driveway purposes is hereby revoked:

SIXTH PRINCIPAL MERIDIAN

T. 18 N., R. 78 W.,
Sec. 22, SE¼SW¼, SW¼SE¼, and E½ SE¼;
Sec. 27, E½W½.

The areas described aggregate approximately 320 acres.

2. The lands are located in Carbon County, in the vicinity of the community of Woodedge. Elevation varies from 8,000 to 8,500 feet above sea level. Vegetative cover is typical lodgepole pine.

3. Subject to any valid existing rights and equitable claims, the provisions of any existing withdrawals, and the requirements of applicable law, rules and regulations, the lands released from withdrawal by this order are hereby opened to filing of applications, selections, and locations in accordance with the following:

(a) Until 10:00 a.m. on October 22, 1962, the State of Wyoming shall have a preferred right of application to select the lands in accordance with and subject to the provisions of Subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and the regulations in 43 CFR.

(b) All valid applications and selections under the nonmineral public land laws other than any from the State of Wyoming presented prior to 10:00 a.m. on October 22, 1962, will be considered as simultaneously filed at that hour. Rights under such applications and selections filed after that hour will be governed by the time of filing.

4. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws subject to the provisions of the Act of January 29, 1929 (45 Stat. 1144), and the regulations in 43 CFR 185.35.

5. Persons claiming preference rights based upon valid settlement, statutory preference, or equitable claims, must enclose properly corroborated statements in support of their applications, setting forth all facts relevant to their claims.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Cheyenne, Wyoming.

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

APRIL 23, 1962.

[F.R. Doc. 62-4154; Filed, Apr. 27, 1962; 8:46 a.m.]

[Public Land Order 2661]

[Oregon 010763]

OREGON

Withdrawing Lands for Reclamation Purposes; Revoking Executive Order No. 5900 of August 10, 1932

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority contained in section 3 of the Act of June 17, 1902 (32 Stat. 388; 43 U.S.C. 416), it is ordered as follows:

1. Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved for use of the Bureau of Reclamation, Department of the Interior, in connection with the development, operation and maintenance of the Bully Creek Reservoir, Vale Project:

[Oregon 010763]

WILLAMETTE MERIDIAN

T. 18 S., R. 43 E.,
Sec. 4, SE¼SW¼ and W½SE¼;
Sec. 10, NW¼NE¼ and N½NW¼.

Containing 240 acres.

The lands withdrawn by Paragraph 1, of this order, shall be administered by the Bureau of Land Management, Department of the Interior, under applicable public land laws until such time as they or any portion thereof are needed for project works or irrigation purposes.

3. Executive Order No. 5900 of August 10, 1932, which withdrew the following-described public lands for classification and in aid of legislation is hereby revoked:

[Oregon 011659]

WILLAMETTE MERIDIAN

T. 17 S., R. 13 E.,
Sec. 27, SW¼SW¼SW¼.

Containing 10 acres.

4. The lands released from withdrawal by Paragraph 3, hereof, are hereby restored to the operation of the public land laws, subject to any valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals provided, that, until 10:00 a.m. on October 22, 1962, the State of Oregon shall have a preferred right of application to select the lands in accordance with Subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852). The lands have been open to applications and offers under the mineral leasing laws, and to location for metalliferous minerals. They will be open to location for nonmetalliferous minerals under the United States mining laws at 10:00 a.m. on October 22, 1962.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Portland, Oregon.

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

APRIL 23, 1962.

[F.R. Doc. 62-4155; Filed, Apr. 27, 1962; 8:46 a.m.]

[Public Land Order 2662]

[Sacramento 066470]

[Sacramento 065033]

[Sacramento 069115]

CALIFORNIA

Power Site Restoration No. 548; Power Site Cancellation No. 155; Revoking Certain Power Withdrawals; Opening Lands Under Section 24 of the Federal Power Act

By virtue of the authority vested in the President by section 1 of the Act of June 25, 1910 (36 Stat. 847; 43 U.S.C. 141), and pursuant to Executive Order No. 10355 of May 26, 1952, and by virtue of the authority contained in the Act of March 3, 1879 (20 Stat. 394; 43 U.S.C. 31), and in section 24 of the Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended, and pursuant to determinations of the Federal Power Commission, it is ordered as follows:

1. In an order issued April 10, 1961, the Federal Power Commission vacated the withdrawal created pursuant to the filing of an application for a license for Project No. 678 affecting the following-described lands:

[Sacramento 066470]

MOUNT DIABLO MERIDIAN

T. 12 N., R. 18 E.,
Sec. 3, lots 2 and 3.
T. 12 N., R. 19 E.,
Sec. 30, lots 3, 4, E½SW¼ and SW¼SE¼;
Sec. 31, NW¼NE¼ and NE¼NW¼.

The areas described aggregate 394.63 acres of national forest lands in the Tahoe National Forest.

2. The Executive order of August 12, 1910, creating Power Site Reserve No. 149, and the order of the Geological Survey dated October 22, 1947, establishing Power Site Classification No. 389, are hereby revoked so far as they affect the following-described lands:

a. Power Site Reserve No. 149:

[Sacramento 069115]

MOUNT DIABLO MERIDIAN

T. 10 N., R. 20 E.,
Sec. 1, lots 4 and 6;
Sec. 2, lots 6, 8, 9, E½ of lot 10, W½SE¼, and SW¼;
Sec. 10, SE¼;
Sec. 11, NW¼, N½SW¼, and SW¼SW¼;
Sec. 14, NW¼NW¼;
Sec. 15, N½NE¼, SE¼NE¼, and E½SE¼;
Sec. 22, E½E½ and SW¼SE¼;
Sec. 23, S½SW¼;
Sec. 25, S½SW¼;
Sec. 26, W½NE¼, N½NW¼, and SE¼;
Sec. 27, N½NE¼.
T. 9 N., R. 21 E.,
Sec. 34, lots 1, 2, N½NE¼, and NE¼SE¼.

The areas described aggregate 2,315.05 acres.

b. Power Site Classification No. 389:

MOUNT DIABLO MERIDIAN

T. 1 N., R. 13 E.,
Sec. 21, S½NE¼;
Sec. 22, W½NW¼NW¼ and W½W½SW¼NW¼.

The areas described aggregate 110 acres.

3. In DA-998, the Federal Power Commission determined that the value of the following-described lands will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of Section 24 of the Federal Power Act, as amended; subject to the use by the Oakdale Irrigation District and the South San Joaquin Irrigation District and their successors of those portions of said lands lying at and below the 515-foot contour in connection with the Tulloch Reservoir; and subject to the condition that by means of substantial dikes or other adequate structures, mine tailings and other debris shall be confined in such manner that they shall not be carried by storm waters or otherwise into the Stanislaus River or its tributaries:

MOUNT DIABLO MERIDIAN

T. 1 N., R. 13 E.,
Sec. 21, N½NE¼SE¼.

The tract described contains approximately 20 acres.

4. Until 10:00 a.m. on October 23, 1962, the State of California shall have (1) a preferred right of application to select the lands described in Paragraphs 2 and 3 of this order in accordance with Subsection (c) of Section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to it or to any of its political subdivisions under any statute or regulation applicable thereto, of any of the public and national forest lands described in this order required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways in accordance with the provisions of Section 24 of the Federal Power Act.

5. This order shall not otherwise be effective to change the status of the lands until 10:00 a.m. on October 23, 1962. At that time the public lands shall be open to the operation of the public land laws generally, subject to valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals, the national forest lands being opened to such other forms of disposition as may by law be made of national forest lands.

6. Any disposals of the lands described in Paragraph 2b of this order shall be subject to the condition that, by means of substantial dikes or other adequate structures, mine tailings and other debris shall be confined in such manner that they shall not be carried by storm waters or otherwise into the Stanislaus River or its tributaries.

7. Any disposals of the lands described in Paragraph 3, hereof, shall be subject to the provisions of Section 24 of the Federal Power Act, *supra*, and to the further provisions and conditions recited in said Paragraph 3, as specified by the Federal Power Commission in its determination.

8. The lands have been open to applications and offers under the mineral leasing laws, and to location under the United States mining laws, subject to the provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621), Lots 2 and 3, Section 3, T. 12 N., R. 18 E., having been open subject to the general determination of the Federal Power Commission issued April 17, 1922, respecting withdrawals for transmission line purposes.

Inquiries concerning the lands should be addressed to the Manager, Land Office, Bureau of Land Management, Sacramento, California.

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

APRIL 24, 1962.

[F.R. Doc. 62-4143; Filed, Apr. 27, 1962; 8:45 a.m.]

[Public Land Order 2663]

[Montana 023908]

MONTANA

Withdrawing Public Lands for Preservation of Recreational Values, for Public Access, and for Forest Service Administrative Site

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

Subject to valid existing rights, the following-described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved under the jurisdiction of the Bureau of Land Management for preservation of recreational values and public access to waters of the Madison River, and for use as an administrative site by the Forest Service and such other Federal agencies as may have a need therefor for such time and under such conditions as may be prescribed by the Bureau of Land Management:

PRINCIPAL MERIDIAN

T. 6 S., R. 1 W.,
Sec. 20, N½NW¼.

Containing 80 acres.

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

APRIL 24, 1962.

[F.R. Doc. 62-4144; Filed, Apr. 27, 1962; 8:45 a.m.]

[Public Land Order 2664]

[995553]

[561426]

ARKANSAS

Opening Lands Subject to Section 24 of the Federal Power Act

1. In Docket No. DA-58-Arkansas, issued January 9, 1961, the Federal Power Commission determined as follows:

a. That the value of the following-described lands, withdrawn in Power Site Reserve No. 514, will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of Section 24 of the Federal Power Act of June 10, 1920 (41 Stat. 1075; 16 U.S.C. 818), as amended:

FIFTH PRINCIPAL MERIDIAN

T. 15 N., R. 17 W.,
Sec. 3, NE¼NE¼.
T. 15 N., R. 18 W.,
Sec. 3, SW¼NE¼ and NW¼SW¼.
(123.13 acres.)

b. That the value of the following-described lands, withdrawn in Power Site Classification No. 5, will not be injured or destroyed for purposes of power development by location, entry, or selection under the public land laws, subject to the provisions of Section 24 of the Federal Power Act as amended, and subject to the condition that in the event said lands are required for power purposes, any improvements or structures placed thereon which shall be found to interfere with such development shall be removed or relocated as may be necessary to eliminate interference with power development at no cost to the United States, its permittees or licensees:

FIFTH PRINICIPAL MERIDIAN

T. 9 N., R. 7 W.,
Sec. 26, Fractional W½SE¼.
(39.57 acres.)

2. Until 10:00 a.m. on October 23, 1962, the State of Arkansas shall have (1) a preferred right of application to select the lands described, in accordance with subsection (c) of section 2 of the Act of August 27, 1958 (72 Stat. 928; 43 U.S.C. 851, 852), and (2) a preferred right to apply for the reservation to it or to any of its political subdivisions under any

statute or regulation applicable thereto, of any of the lands required for a right-of-way for a public highway or as a source of materials for the construction and maintenance of such highways, in accordance with the provisions of Section 24 of the Federal Power Act.

3. This order shall not otherwise be effective to change the status of the lands until 10:00 a.m. on October 23, 1962. At that time the said lands shall be open to the operation of the public land laws generally, subject to valid existing rights and equitable claims, the requirements of applicable law, rules and regulations, and the provisions of any existing withdrawals. The lands have been open to applications and offers under the mineral leasing laws and to location under the United States mining laws subject to provisions of the Act of August 11, 1955 (69 Stat. 682; 30 U.S.C. 621).

4. Any disposals of the lands described in this order shall be subject to the provisions of Section 24 of the Federal Power Act, supra, disposition of any of the lands described in Paragraph 1b, hereof, to be further subject to the condition recited in Paragraph 1b, as specified by the Federal Power Commission in its determination.

Inquiries concerning the lands should be addressed to the Manager, Eastern States Land Office, Bureau of Land Management, Washington 25, D.C.

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

APRIL 24, 1962.

[F.R. Doc. 62-4142; Filed, Apr. 27, 1962; 8:45 a.m.]

[Public Land Order 2665]

[Montana 040002(ND)]

NORTH DAKOTA

Withdrawing Lands for Use of the Department of the Army for Flood Control

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

Subject to valid existing rights, the following described public lands are hereby withdrawn from all forms of appropriation under the public land laws, including the mining laws, and reserved under jurisdiction of the Secretary of the Interior in aid of programs of the Corps of Engineers, Department of the Army, for construction, operation, and maintenance of the Bowman-Haley Dam Reservoir Project:

FIFTH PRINCIPAL MERIDIAN

T. 129 N., R. 101 W.,
Sec. 11, SW¼ and W½SE¼;
Sec. 13, SW¼NW¼, SW¼, and S½SE¼;
Sec. 14, E½, NW¼, N½SW¼, and SE¼SW¼;
Sec. 15, S½N½ and N½S½;
Sec. 23, N½NE¼, SE¼NE¼, NE¼NW¼, SE¼SW¼, and SE¼;
Sec. 24;
Sec. 25, N½NW¼, SW¼NW¼, and NW¼SW¼;
Sec. 26, E½, E½NW¼, and SW¼NW¼;
Sec. 35, W½NE¼, S½NW¼, and N½SW¼.

The areas described aggregate approximate 3,280 acres.

JOHN A. CARVER,
Assistant Secretary of the Interior.

APRIL 24, 1962.

[F.R. Doc. 62-4145; Filed, Apr. 27, 1962; 8:45 a.m.]

Proposed Rule Making

FEDERAL AVIATION AGENCY

[14 CFR Parts 38, 43]

[Reg. Docket No. 1176; Draft Release No. 62-19]

NONEMERGENCY PARACHUTE JUMPING

Notice of Proposed Rule Making

Pursuant to the authority delegated to me by the Administrator (14 CFR 405.27), notice is hereby given that there is under consideration a proposal to adopt a new Part 38 of the Civil Air Regulations as hereinafter set forth.

Interested persons may participate in the making of the proposed rules by submitting such written data, views, or arguments as they may desire. Communications should be submitted, preferably in duplicate, to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before June 30, 1962, will be considered by the Administrator before taking action on the proposed rules. The proposal contained in this notice may be changed in the light of comments received. All comments submitted will be available in the Docket Section for examination by interested persons at any time.

Nonemergency parachute jumping has expanded rapidly within the past five years. Most of the expansion has been due to the large and growing number of exhibition and sport parachute jumps. In the year 1956, the number of such jumps were estimated to be 238. By 1958, they had increased to over 5,000. In 1960, there were an estimated 60,000 jumps. In addition, a large number of jumps were made that year by military personnel. The number of sport parachute or "sky diving" clubs has also grown rapidly; in 1961, an estimated 217 of them were active.

About 80 percent of sport parachute jumps are made within an altitude range from 2,500 to 7,200 feet above the ground. Some jumps, however, are made at altitudes above 20,000 feet. Many of the high jumps involve free falls and include "sky diving" activities during the descent.

Section 43.47(b) of Part 43 and § 25.80 of Part 25 of the Civil Air Regulations are the only current rules which apply to nonemergency parachute jumping. Their application is limited to civil aircraft in the United States. Section 43.47(b) provides that no person piloting an aircraft shall permit a parachute jump to be made over the congested areas of cities, towns, or settlements, or an open-air assembly of persons, except in an emergency or under the terms of an authorization issued by the Administrator.

Section 25.80 applies to the packing, repair, maintenance, alteration, and inspection of parachutes. Experience with these rules has shown that they are no longer adequate to provide the proper control of nonemergency parachuting which the Agency believes necessary for the protection of air traffic, persons or property on the surface, and the parachutists themselves. Therefore, the Agency believes that a new part of the Civil Air Regulations should be issued containing the present nonemergency parachute jumping rules and additional rules considered necessary.

The rules proposed herein would, in some respects, apply to pilots and parachutists of the United States military services. For example, the rules would apply to parachute jumps made by members of the armed forces at civil airports. However, jumps by members of the armed forces at military facilities, such as an airbase or station, or within a restricted area controlled by a military agency, would not, unless the jumps were made in controlled airspace. The proposed rules would not apply to any parachute equipment of the armed forces when used by members of the armed forces.

The proposed rules encompass three main subjects of nonemergency parachute jumping. The first concerns jumps made over or within the congested areas of cities, towns, or settlements, or an open-air assembly of persons; the second concerns jumps made within controlled airspace; and the third concerns parachute equipment requirements. The rules are discussed in the following paragraphs.

1. *Responsibility of the parachutist.* Section 43.47(b) of Part 43 prohibits the pilot of an aircraft from permitting a parachute jump to be made under certain conditions, but does not apply to the parachutist himself. When jumps are made to a target, the jumper often determines the best position of the aircraft in relation to the target for making the jump, and gives directional guidance to the pilot to such position during the final approach to the target. Thus, the parachutist is responsible for the aircraft's location when the jump is made. Moreover, after opening his parachute, he has considerable directional control over it to maneuver to his selected target. A skilled parachutist also has a large degree of control during a free fall. For these reasons the jumper, as well as the pilot, should be responsible for not creating a hazard to other aircraft in the area and to persons and property on the surface.

2. *Jumps requiring authorization.* Parachute jumps over the congested areas of cities, towns, or settlements, or an open-air assembly of persons, should continue to be prohibited except under the terms of an authorization issued by the Administrator or his authorized representative. Since the term "over" (an assembly of persons or congested area) has caused misunderstanding, it is defined in Subpart A of the new part. The proposed rule is not designed to prohibit jumps over congested areas or an open-air assembly of persons but to insure that only experienced jumpers make them, and under conditions which the Administrator determines will provide adequate safety.

3. *Parachute jumps in controlled airspace.* Where air traffic is congested, as in some metropolitan areas, the Agency believes that jumping cannot be carried on safely except under restrictions. Accordingly, jumps at airports or in control zones which have a functioning control tower should require authorization from the control tower operator. Jumps made in other controlled airspace, such as the Federal airways, should require authorization from the appropriate air traffic control facility. Where the appropriate air traffic control facility is not convenient to the jumping site or is unknown to the pilot or jumper, the request for authorization may be made to the nearest air traffic control facility or the nearest Flight Service Station of the Federal Aviation Agency. These requirements are not intended to discourage jumping in controlled airspace but will enable the Agency to achieve a higher level of safety.

4. *Jumps at airports.* Jumps at airports should not be made unless approved by the airport management. Jumping should not be permitted where it will interfere with or be a hazard to aircraft activities on the airport or in its traffic pattern.

5. *Visibility requirements for parachute jumps.* The Agency believes that the present visual flight rule requirements of Part 60 of the Civil Air Regulations for the operation of aircraft are generally satisfactory for nonemergency parachute jumping except the requirement of only one mile minimum flight visibility for flight in uncontrolled airspace. Accordingly, the minimum weather requirements in the proposed rules are similar to the VFR rules currently contained in Part 60, except that a minimum of three miles flight visibility is required. This requirement should not be an undue burden on parachutists.

6. *Jumps at night.* Between sunset and sunrise a parachutist should have a means for producing a light bright enough to be visible to pilots of aircraft operating in the vicinity. The rule, as proposed, is broad enough to include reflecting-type lights as well as those which can be seen from any direction. It is believed that such a light should be visible for at least three miles.

7. *Jumps through clouds.* The Agency believes that jumps from within or through clouds present a danger to aircraft which might be flying under the clouds and aircraft which might be flying IFR through the clouds. Consequently, jumps from within or through clouds are prohibited in the proposed rule.

8. *Parachute equipment requirements.* The proposed rules would apply to parachute equipment used by persons in making nonemergency jumps, other than members of the armed forces. The rules provide for the use of a single harness dual parachute pack assembly, consisting of either an approved or nonapproved main parachute and an approved auxiliary parachute. The Agency believes this combination represents the minimum equipment for safety in nonemergency jumping.

(a) *Main parachute.* The proposed rules provide that the main parachute may be packed by a certificated parachute rigger or master parachute rigger or the person making the jump but shall have been packed within 60 days prior to its use. The Agency believes that the provision for permitting the jumper to pack his own main parachute is desirable in the interest of sport parachuting activities, and that the requirement for packing within 60 days of jumping is necessary in the interest of safety.

(b) *Auxiliary parachute.* The proposed rule provides that the auxiliary parachute shall be packed only by a certificated and appropriately rated parachute rigger or master parachute rigger, within 60 days prior to its use. The Agency believes that the 60-day packing requirement is reasonable as it is the same as that required under § 43.49 of Part 43 for other than a chair-type (canopy in back) parachute.

9. *Parachute repairs, maintenance, alterations, and inspections.* The proposed rule in respect to parachute repairs, maintenance, alterations, and inspections, is similar to the present § 25.80 of Part 25 of the Civil Air Regulations. It provides that no individual shall repair, maintain, alter, or inspect any personnel-carrying parachute, whether it is for emergency or nonemergency use, unless he is a certificated parachute rigger or master parachute rigger.

The proposed new part includes rules applying to nonemergency parachute jumps over the congested areas of cities, towns, or settlements, or an open-air assembly of persons, which are somewhat different from the provisions of § 43.47(b) of Part 43. Accordingly, this paragraph should be amended to be compatible with the proposed new part.

In consideration of the foregoing, it is proposed to promulgate Part 38 of the Civil Air Regulations in its entirety, as it appears below, and to amend § 43.47(b) of Part 43 of the Civil Air Regulations.

These regulations are proposed under the authority of sections 307, 313(a), 601 of the Federal Aviation Act of 1958 (72 Stat. 749, 752, 775; 49 U.S.C. 1348, 1354, 1421).

Issued in Washington, D.C., on April 24, 1962.

GEORGE C. PRILL,
Director,
Flight Standards Service.

1. A new Part 38—Nonemergency Parachute Jumping, is proposed to read as follows:

Subpart A—Applicability and Definitions

§ 38.1 Applicability.

The provisions of this part apply to the following:

(a) Parachute jumps within the United States, except:

(1) Jumps necessary because of an emergency in flight, and

(2) Jumps made by members of the armed forces of the United States over or within areas under the control of the armed forces, unless such jumps are made in controlled airspace, in which case the requirement in § 38.10 for obtaining prior authorization for jumps in controlled airspace shall be applicable; and

(b) Parachute equipment, but not including equipment used because of an emergency in flight and parachute equipment of the armed forces of the United States when used by members of the armed forces.

§ 38.2 Definitions.

"Administrator" means the Administrator of the Federal Aviation Agency or any person to whom he has delegated his authority in the matter concerned.

"Aircraft" means a device that is used or intended to be used for flight in the air.

"Airport" means an area of land or water that is used or intended to be used for the landing and takeoff of aircraft, and includes its buildings and facilities.

"Air traffic control" means a service operated to promote the safe, orderly, and expeditious flow of air traffic.

"Continental control area" means the airspace of the continental United States at and above 14,500 feet MSL but excludes: (1) The State of Alaska, (2) the airspace less than 1,500 feet above terrain, and (3) prohibited and restricted areas except those restricted areas specified in Part 601 of Chapter III of this title.

"Control zone" means a zone extending upward from the surface. A control zone may include one or more airports and is normally a circular area of 5 statute miles in radius with extensions where necessary to include instrument approach and departure paths.

"Controlled airspace" means airspace of defined dimensions designated in Part 601 of Chapter III of this title as continental control area, control area, control zone or transition area, within which air traffic control is exercised.

"FAA" means the Federal Aviation Agency.

"Flight visibility" means the average forward horizontal distance, from the cockpit of an aircraft in flight, at which prominent unlighted objects may be seen and identified by day and prominent lighted objects may be seen and identified by night.

"Over" (a congested area or open air assembly of persons) means a jumping location in the airspace where the jumper would fall into the congested area or open air assembly of persons in the event his parachute failed to open.

"Parachute" means a device used or intended to be used to retard the fall of a body or object through the air.

"Parachute jump" means the descent of a person to the surface from an aircraft in flight, using a parachute during all or part of the descent.

"Pilot in command" means the pilot responsible for the operation and safety of an aircraft during flight time.

"Positive control area" means the airspace, within the continental control area, as designated in Subpart J of Part 601 of Chapter III of this title.

"Positive control route segment" means the airspace, within the continental control area, as designated in Subpart I of Part 601 of Chapter III of this title.

"Sunset and sunrise" mean the solar times of sunset and sunrise as published in the Nautical Almanac converted to local standard time for the locality concerned, except within the State of Alaska.

NOTE: The Nautical Almanac containing sunshine tables may be obtained from the Superintendent of Documents, U.S. Government Printing Office, Washington 25, D.C. Information is also available from the sunshine tables in the offices of the Federal Aviation Agency or the United States Weather Bureau.

Subpart B—Parachute Jumping

§ 38.10 General.

A person shall not make a parachute jump from an aircraft, nor shall the pilot of an aircraft permit a jump to be made from the aircraft:

(a) Over or within the congested area of cities, towns, or settlements, or an open-air assembly of persons, or within controlled airspace, without prior authorization by the Administrator; and

(b) If over, or within the traffic pattern of, an airport, without prior approval of the management of such airport.

§ 38.11 Authorization for jumps over congested areas or an assembly of persons.

(a) *Application.* Application for authorization to jump over congested areas of cities, towns, or settlements, or an open-air assembly of persons, is made on Form FAA-400, "Application for Certification of Waiver." This form is obtained from any General Aviation District Office of the Federal Aviation Agency. Upon completion, the application is delivered to the district office having jurisdiction over the area where the jump is to be made, at least 7 days before the day the jump is to be made.

(b) *Issuance.* Upon application, and if the Administrator determines that the jump can be conducted safely and without hazard to air traffic and to persons or property on the ground, a certificate of authorization may be issued and may contain conditions and limitations necessary in the interest of safety.

(c) *Display of certificate.* The certificate of authorization shall be made available by the jumper or the pilot in command of the aircraft for inspection, upon request, by an authorized representative of the Administrator, or by any state or local official.

§ 38.12 Authorization for jumps in controlled airspace.

(a) *In control zones with a functioning FAA air traffic control tower.* A request for authorization to make a parachute jump in a control zone in which there is a functioning FAA air traffic control tower is made to the control tower before takeoff of the aircraft from which the jump is to be made. The jump shall be made in accordance with any instructions given by the control tower.

(b) *In other controlled airspace.* A request for authorization to make a parachute jump in controlled airspace, other than a control zone in which there is a functioning FAA air traffic control tower, is made to the nearest FAA air traffic control facility or FAA Flight Service Station at least 24 hours before the intended time of making the jump.

(c) *Required information.* The request for authorization under paragraphs (a) and (b) of this section shall include at least the following information:

(1) Date and time the jumping will begin;

(2) Location of the jumping site or drop zone in reference to the nearest city or town, and airport;

(3) Altitudes above the surface where jumping will take place;

(4) Duration of jumping activity; and,

(5) Name, address, and telephone number of the person requesting the authorization.

§ 38.13 Weather conditions for parachute jumps.

A person shall not make a parachute jump from an aircraft nor shall the pilot of an aircraft permit a jump to be made from the aircraft in weather conditions contrary to the provisions of this section.

(a) *Clearance from clouds*—(1) *Within continental control area.* A parachute jump shall not be made within the continental control area less than 1,000 feet vertically and 1 mile horizontally from any cloud formation.

(2) *Outside continental control area.* A parachute jump shall not be made outside the continental control area less than 500 feet vertically under, 1,000 feet vertically over, and 2,000 feet horizontally from any cloud formation.

(b) *Flight visibility*—(1) *Within continental control area.* A parachute jump shall not be made within the continental control area when the flight visibility is less than 5 miles.

(2) *Outside continental control area.* A parachute jump shall not be made outside the continental control area when the flight visibility is less than 3 miles.

§ 38.14 Jumps through or from within clouds.

A person shall not make a parachute jump from an aircraft, nor shall the pilot of an aircraft permit a jump to be made from the aircraft, through or from within clouds.

§ 38.15 Parachute jumps at night.

A person shall not make a parachute jump from an aircraft, nor shall the pilot of an aircraft permit a jump to be made from the aircraft, between sunset and sunrise unless the jumper is equipped wth a means for producing a light visible for at least 3 miles. The light shall be displayed between the time the parachute canopy is opened and the jump is completed.

§ 38.16 Inspection authority.

An authorized representative of the Administrator shall be permitted to make inspections, including inspections at the jump site, of any operations authorized by the provisions of this part, to determine compliance with the Civil Air Regulations and the terms and conditions of any certificate of authorization which may have been issued pursuant to § 38.11.

Subpart C—Parachute Equipment

§ 38.20 Parachute requirements.

A person shall not make a parachute jump from an aircraft, nor shall the pilot of an aircraft permit a jump to be made from the aircraft, unless the jumper is equipped with a single harness pack consisting of at least one approved or nonapproved main parachute and one approved auxiliary parachute, which shall have been packed in accordance with the requirements of paragraphs (a) and (b) of this section.

(a) The main parachute shall have been packed by a certificated parachute rigger or master parachute rigger, or by the person making the jump, within 60 days prior to its use.

(b) The auxiliary parachute shall have been packed by a certificated and appropriately rated parachute rigger or master parachute rigger within 60 days prior to its use.

§ 38.21 Approved parachutes.

The following parachutes are approved:

(a) Parachutes manufactured under the terms of a Type Certificate or Technical Standard Order No. C-23 series designation.

(b) Military personnel-carrying parachutes identified by an NAF, AAF, or AN drawing number, an AAF order number, or other military designation or specification number, except high-altitude, high-speed, or ejection types of parachutes.

§ 38.22 Repairs, maintenance, alternation, and inspection requirements.

All repairs, maintenance, alternations, or inspections of any personnel-carrying parachutes shall be performed only by certificated parachute riggers or master parachute riggers in accordance with the applicable requirements of Part 25 of this chapter.

2. In Part 43—General Operation Rules, § 43.47(b) is amended to read as follows:

§ 43.47 Dropping objects or persons.

* * * * *

(b) Except in an emergency, no person piloting an aircraft shall permit a parachute jump to be made from the aircraft unless made in conformity with the provisions of Part 38 of this chapter.

[F.R. Doc. 62-4169; Filed, Apr. 27, 1962; 8:47 a.m.]

[14 CFR Part 507]

[Reg. Docket No. 1175]

VICKERS VISCOUNT MODELS 745D AND 810 SERIES AIRCRAFT

Proposed Airworthiness Directives

Pursuant to the authority delegated to me by the Administrator (14 CFR Part 405), notice is hereby given that the Federal Aviation Agency has under consideration a proposal to amend Part 507 of the regulations of the Administrator to include an airworthiness directive superseding Amendment 156, 25 F.R. 4543 (AD 60-11-11), which requires inspection of the landing gear jack assembly fork ends on Vickers Viscount 745D and 810 Series aircraft. Since the issuance of this AD, which provides for continuance in service of those fork ends found crack free, additional cases of failed parts have been reported. It is proposed to supersede Amendment 156 (AD 60-11-11), with a new directive to require repetitive inspections.

Interested persons may participate in the making of the proposed rule by submitting such written data, views, or arguments as they may desire. Communications should be submitted in duplicate to the Docket Section of the Federal Aviation Agency, Room C-226, 1711 New York Avenue NW., Washington 25, D.C. All communications received on or before May 29, 1962, will be considered by the Administrator before taking action on the proposed rule. The proposals contained in this notice may be changed in light of comments received. All comments submitted will be available, in the Docket Section for examination by interested persons at any time. The proposal will not be given further distribution as a draft release.

This amendment is proposed under the authority of sections 313(a), 601 and 603 of the Federal Aviation Act of 1958 (72 Stat. 752, 775, 776; 49 U.S.C. 1354 (a), 1421, 1423).

In consideration of the foregoing, it is proposed to amend § 507.10(a) of Part 507 (14 CFR Part 507), by adding the following airworthiness directive:

VICKERS. Applies to all Viscount Models 745D and 810 Series aircraft.

Compliance required as indicated.

Because of failures of the main landing gear retraction jack fork ends, the following is required.

(a) *Fork ends Part Numbers 74450-95 and 74450-411*—(1) Fork ends which have not been reworked in accordance with (e) and have accumulated 3,500 or more landings as of the effective date of this AD shall be inspected in accordance with (d):

(i) Within the next 50 landings if no inspection has been conducted subsequent to the accumulation of 3,500 landings and thereafter within each 800 landings.

(ii) Within the next 50 landings if 750 or more landings have been made since the last inspection conducted subsequent to the accumulation of 3,500 landings and thereafter within each 800 landings.

(iii) Prior to the accumulation of 800 landings if less than 750 landings have been made since the last inspection conducted subsequent to the accumulation of 3,500 landings and thereafter within each 800 landings.

(2) Fork ends which have not been reworked in accordance with (e) and have accumulated between 3,450 and 3,500 landings as of the effective date of this AD shall be inspected in accordance with (d) within the next 50 landings and thereafter within each 800 landings.

(3) Fork ends which have not been reworked in accordance with (e) and have accumulated less than 3,450 landings as of the effective date of this AD shall be inspected in accordance with (d) prior to the accumulation of 3,500 landings and thereafter within each 800 landings.

(b) *Fork ends Part number 74450-499*—(1) Fork ends which have not been reworked in accordance with (e) and have accumulated 5,750 or more landings as of the effective date of this AD shall be inspected in accordance with (d) within the next 50 landings and thereafter within each 800 landings.

(2) Fork ends which have not been reworked in accordance with (e) and have accumulated less than 5,750 landings as of the effective date of this AD shall be inspected in accordance with (d) prior to the accumulation of 5,800 landings and thereafter within each 800 landings.

(3) If two successive 800 landing inspections are accomplished without evidence of cracks, subsequent inspections may be made at intervals not exceeding 1,600 landings.

(c) All fork ends which have been reworked in accordance with (e) shall be inspected in accordance with (d) within each 800 landings after rework, except that reworked fork ends which have accumulated more than 750 landings as of the effective date of this AD shall be inspected in accordance with (d) within the next 50 landings and each 800 landings thereafter. If two successive 800 landing inspections are accomplished without evidence of cracks, subsequent inspections may be made at intervals not exceeding 1,600 landings.

NOTE: It will be necessary for operators to maintain a record of landings in order to ascertain compliance with this AD. If past records are unavailable, the number of landings prior to this AD may be estimated.

(d) Remove and inspect using magnetic particle inspection or FAA approved equivalent in accordance with Vickers-Armstrong PTL 171 Issue 6 (for 745D) or PTL 31 Issue 6 (for 810) for Viscount aircraft. Parts showing evidence of cracks shall be replaced or reworked in accordance with (e) prior to further flight.

(e) Parts showing evidence of cracks may be reworked once in accordance with Vickers-Armstrong PTL 171 Issue 6 (for 745D) or PTL 31 Issue 6 (for 810) for Viscount aircraft. Any parts showing evidence of cracks after reworking must be rejected.

Upon request of the operator an FAA maintenance inspector, subject to prior approval of the Chief, Engineering and Manufacturing Branch, FAA International Division, Washington, D.C., may adjust the repetitive inspection intervals specified in this Airworthiness Directive to permit compliance at an established inspection period of the operator if the request contains substantiating data to justify the increase for such operator.

(Vickers-Armstrongs Preliminary Technical Leaflets (PTL's) No. 171, (700 Series) and No. 31, (800/810 Series) cover this subject.)

This supersedes Amendment 156, 25 F.R. 4543 (AD 60-11-11).

Issued in Washington, D.C., on April 23, 1962.

GEORGE C. PRILL,
Director,
Flight Standards Service.

[F.R. Doc. 62-4139; Filed, Apr. 27, 1962; 8:45 a.m.]

INTERSTATE COMMERCE COMMISSION

[No. 34013]

[49 CFR Ch. I]

ASSEMBLING AND PRESENTING OF COST EVIDENCE

Notice of Proposed Rule Making

APRIL 16, 1962.

The matter of facilitating the assembly, presentation, and evaluation of cost data in proceedings before this Commission being under consideration, and

It appearing that development and approval of one or more methods or formulas for assembling and presenting cost data in such proceedings should, among other things, result in improvement in the quality and in reduction in the quantity of such evidence, eliminate controversy concerning the admissibility of cost data prepared in an approved manner, obviate or shorten cross-examination of witnesses as to the methods used in preparing such cost studies, and in general assist in prompt resolution of the issues;

Notice is hereby given, pursuant to the provisions of section 4(a) of the Administrative Procedure Act, that the Commission has under consideration the matter of approving, and adopting as its own, certain cost formulas, and cost studies derived therefrom, which heretofore have been developed and published by the Cost Finding Section of the Commission's Bureau of Accounts including questions of whether the same should be amended prior to approval, and if so in what manner; also the matter of formulating and adopting special rules governing the evidentiary use of said cost formulas and cost studies in Commission proceedings including a rule whereby such formulas and studies would be accepted as prima facie proof of the facts which they purport to establish.

The cost formulas, and the cost studies derived therefrom, being considered for approval and adoption, are listed in the appendix hereof. Water carrier cost formulas for the barge lines and the coastal and intercoastal carriers have not been included in the appendix for the reason that these two formulas have not yet been completed. It is anticipated, however, that these formulas will be completed prior to the termination of this proceeding and that they will be considered for approval and adoption in the same general manner as the cost formulas listed in the appendix.

The proposed rule. The precise wording has not been determined, but in general the proposed rule would approve and suggest the use, in assembling and presenting cost evidence in Commission rate proceedings, of the methods set forth in the formulas listed in the appendix. Cost studies offered in evidence which have been prepared in accordance with the approved formulas shall include a verified statement indicating compliance, or the extent of compliance, with the methods of said formulas. Where there are departures from the approved methods, the party introducing the cost study shall justify the use of such method. Where any party introduces a cost study prepared in accordance with the approved formula, or adopts a Commission approved cost study derived from an approved formula, or introduces a study which has been prepared in accordance with the approved formula and from figures contained in quarterly, annual and related reports on file with this Commission, cross-examination will be limited to the mathematical accuracy of the computations. The opposing party or parties shall have the burden of overcoming such prima facie showing, but the ultimate burden of proof shall remain as heretofore.

Explanatory statement. An issue of particular importance in competitive rate cases is whether a given rate or charge is compensatory in the sense that it more than covers out-of-pocket or full costs. The simplification of assembling and presenting cost data in rate proceedings is desirable if the decisional process is to be expedited. The contemplated approval and adoption of the Cost Finding Section's formulas and cost statements, and adoption of a rule along the lines indicated, will, it is hoped, result in an improvement in the quality, and in a reduction in the quantity, of cost evidence. As previously indicated costs developed by the use of the formulas and published in the statements listed in the appendix, or as amended annually or periodically, would be admissible and presumptively valid in Commission proceedings. The opposing party, of course, would have an opportunity to rebut the prima facie showing by submitting evidence that the general data did not reflect the costs of the particular traffic under consideration.

Representations. Any interested party may file on or before July 2, 1962, with the Secretary of the Interstate Commerce Commission, Washington 25, D.C., an original signed copy and 25 additional copies of statements of fact or opinions or argument to be considered in these matters. A copy shall be furnished to any interested person upon request addressed to party filing the statement. Twenty-five copies of the replies to statements may be filed on or before August 20, 1962. Any written statements so filed shall be verified, and shall conform to the specifications in § 1.15 of the Commission's general rules of practice.

After consideration of responses so received, a tentative report will be issued by Division 2 followed, on request, by oral argument before the entire Commission. Thereafter an appropriate order will be entered, pursuant to the provisions of the Interstate Commerce Act (sec. 17, 24 stat. 385, as amended, sec. 205, 49 stat. 550; 49 U.S.C. 17, 305).

Any interested person desiring to receive notice by mail of hearing or other procedures, or copies of notices, reports or orders in this proceeding, shall file requests therefor in writing with the Secretary of the Commission.

Notice. Notice to the public shall be given by posting a copy of this notice, and a copy of each of the publications listed in the appendix below, in the office of the Secretary of the Commission for public inspection, and by filing a copy of this notice with the Director of the Division of the Federal Register for publication in the FEDERAL REGISTER.

By the Commission.

[SEAL] HAROLD D. MCCOY,
Secretary.

APPENDIX

Formulas proposed for Commission approval and adoption:

Rail Form A, Statement No. 2-57, "Formula for Use in Determining Rail Freight Service Costs."

Rail Terminal Form F, Statement No. 3-54, "Formula for Use in Determining Rail Terminal Freight Service Costs."

Highway Form A, Statement No. 4-55, "Formula for the Determination of the Costs of Motor Carriers of Property"

Highway Form B, Statement No. 3-59, "Simplified Procedure for Determining Cost of Handling Freight by Motor Carriers."

Highway Form F, Statement No. 1-58, "Formula for Determining the Cost of Transporting Liquid Petroleum Products by Tank Truck Carriers."

Statements containing published cost data, and proposed for approval and adoption:

Statement No. 2-61, "Distribution of the Rail Revenue Contribution by Commodity Groups—1959."

Statement No. 3-61, "Rail Carload Cost Scales by Territories for the Year 1960."

Statement No. 4-57, "Cost of Transporting Freight by Class I Motor Common Carriers of General Commodities—Eastern-Central Territory—1956."

Statement No. 3-58, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, New England Region—1957, Group I—Within New England Region."

Statement No. 4-58, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, New England Region—1957, Group II—Between New England and New York City Area and Beyond."

Statement No. 7-58, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Southern Region—1957."

Statement No. 8-58, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, East-South Territory—1957."

Statement No. 9-58, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, South-Central Territory—1957."

Statement No. 2-60, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Middlewest Territory."

Statement No. 3-60, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Southwest Region."

Statement No. 6-60, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Rocky Mountain Region—1959."

Statement No. 7-60, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities Performing Transcontinental Service—1959."

Statement No. 8-60, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Pacific Region—1959."

Statement No. 1-61, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Central Region—1959."

Statement No. 1-62, "Cost of Transporting Freight by Class I and Class II Motor Common Carriers of General Commodities, Middle Atlantic Region—1960."

[F.R. Doc. 62-4160; Filed, Apr. 27, 1962; 8:46 a.m.]

Notices

ATOMIC ENERGY COMMISSION

STATE OF MISSISSIPPI

Proposed Agreement for Assumption of Certain AEC Regulatory Authority

Notice is hereby given that the U.S. Atomic Energy Commission is publishing for public comment, prior to action thereon, a proposed agreement received from the Governor of the State of Mississippi for the assumption of certain of the Commission's regulatory authority pursuant to section 274 of the Atomic Energy Act of 1954, as amended.

A summary of the Mississippi program submitted to the Commission is set forth below as an appendix to this notice. A copy of the complete text of the Mississippi program, including proposed Mississippi regulations, is available for public inspection in the Commission's Public Document Room, 1717 H Street NW., Washington, D.C., or may be obtained by writing to the Director, Office of Radiation Standards, U.S. Atomic Energy Commission, Washington 25, D.C. All interested persons desiring to submit comments and suggestions for the consideration of the Commission in connection with the proposed agreement should send them in triplicate to the Secretary, U.S. Atomic Energy Commission, Washington 25, D.C., within 30 days after initial publication in the FEDERAL REGISTER.

Exemptions from the Commission's regulatory authority which would implement this proposed agreement, as well as other agreements which may be entered into under section 274 of the Atomic Energy Act, as amended, were published as Part 150 of the Commission's regulations in FEDERAL REGISTER issuance of February 14, 1962; 27 F.R. 1351. In reviewing this proposed agreement, interested persons should also consider the aforementioned exemptions.

Dated at Germantown, Md., this 4th day of April 1962.

For the Atomic Energy Commission.

WOODFORD B. McCOOL,
Secretary.

Agreement Proposed by the State of Mississippi Pursuant to Section 274 of the Atomic Energy Act of 1954, as Amended, for the Assumption of Certain of the Atomic Energy Commission's Regulatory Authority

Whereas the U.S. Atomic Energy Commission (hereinafter referred to as the Commission) is authorized under section 274 of the Atomic Energy Act of 1954, as amended (hereinafter referred to as the Act) to enter into agreements with the Governor of any State providing for discontinuance of the regulatory authority of the Commission within the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to byproduct materials, source materials, and special nuclear materials in quantities not sufficient to form a critical mass; and

Whereas the Governor of the State of Mississippi is authorized to enter into this agreement with the Commission; and

Whereas the Governor of the State of Mississippi certified on January 29, 1962, that the State of Mississippi (hereinafter referred to as the State) has a program for the control of radiation hazards adequate to protect the public health and safety with respect to the materials within the State covered by this agreement, and that the State desires to assume regulatory responsibility for such materials; and

Whereas the Commission found on ------- that the program of the State for the regulation of the materials covered by this agreement is compatible with the Commission's program for the regulation of such materials and is adequate to protect the public health and safety; and

Whereas the State recognizes the desirability and importance of maintaining continuing compatibility between its program and the program of the Commission for the control of radiation hazards in the interest of public health and safety; and

Whereas the Commission and the State recognize the desirability of reciprocal recognition of licenses and exemption from licensing of those materials subject to this agreement; and

Whereas this agreement is entered into pursuant to the provisions of the Atomic Energy Act of 1954, as amended;

Now, therefore, it is hereby agreed between the Commission and the Governor of the State, acting in behalf of the State, as follows:

Article I. Subject to the exceptions provided in Articles II, III, and IV, the Commission shall discontinue, as of the effective date of this agreement, the regulatory authority of the Commission in the State under Chapters 6, 7, and 8, and section 161 of the Act with respect to the following materials:

A. Byproduct materials;

B. Source materials; and

C. Special nuclear materials in quantities not sufficient to form a critical mass.

Article II. This agreement does not provide for discontinuance of any authority and the Commission shall retain authority and responsibility with respect to regulation of:

A. The construction and operation of any production or utilization facility;

B. The export from or import into the United States of byproduct, source, or special nuclear material, or of any production or utilization facility;

C. The disposal into the ocean or sea of byproduct, source, or special nuclear waste materials as defined in regulations or orders of the Commission;

D. The disposal of such other byproduct, source, or special nuclear material as the Commission from time to time determines by regulation or order should, because of the hazards or potential hazards thereof, not be so disposed of without a license from the Commission.

Article III. Notwithstanding this agreement, the Commission may from time to time by rule, regulation, or order, require that the manufacturer, processor, or producer of any equipment, device, commodity, or other product containing source, byproduct, or special nuclear material shall not transfer possession or control of such product except pursuant to a license or an exemption from licensing issued by the Commission.

Article IV. This agreement shall not affect the authority of the Commission under subsection 161 b or i of the Act, to issue rules, regulations, or orders to protect the common defense and security, to protect restricted data or to guard against the loss or diversion of special nuclear material.

Article V. The State will use its best efforts to maintain continuing compatibility between its program and the program of the Commission for the regulation of like materials. To this end the State will use its best efforts to keep the Commission informed of proposed changes in its rules and regulations, and licensing, inspection, and enforcement policies and criteria, and of proposed requirements for the design and distribution of products containing source, byproduct, or special nuclear material, and to obtain the comments and assistance of the Commission thereon.

Article VI. The Commission will use its best efforts to keep the State informed of proposed changes in its rules and regulations, and licensing, inspection, and enforcement policies and criteria and to obtain the comments and assistance of the State thereon.

Article VII. The Commission and the State agree that it is desirable to provide for reciprocal recognition of licenses for the materials listed in Article I licensed by the other party or by any agreement State. Accordingly, the Commission and the State agree to use their best efforts to develop appropriate rules, regulations, and procedures by which such reciprocity will be accorded.

Article VIII. The Commission, upon its own initiative after reasonable notice and opportunity for hearing to the State, or upon request of the Governor of the State, may terminate or suspend this agreement and reassert the licensing and regulatory authority vested in it under the Act, if the Commission finds that such termination or suspension is required to protect the public health and safety.

Article IX. This agreement shall become effective on June 15, 1962, and shall remain in effect unless, and until such time as it is terminated pursuant to Article VIII.

APPENDIX A

Policies and Procedures of the State of Mississippi for the Licensing and Regulation of Byproduct, Source, and Special Nuclear Materials

Authority. (1) The Attorney General by letter dated January 16, 1961, has rendered an opinion to the effect that the Governor has necessary authority to enter into an agreement with the Atomic Energy Commission. (Opinion from Attorney General, dated Jan. 16, 1961.)

(2) The Governor, by letter order (Aug. 27, 1960), designated the State Board of Health as the Agency to administer the licensing and regulatory responsibilities.

(3) The Attorney General has rendered an opinion to the effect that the Mississippi State Board of Health has necessary authority to make and publish such rules and regulations necessary to discharge its duties. (Opinion from Attorney General, dated Aug. 8, 1961.)

The radiation control program. The radiation control program will be conducted by the Radiological Health Unit, which is directly responsible to the Executive Officer of the State Board of Health. In addition to an environmental monitoring program which exists around nuclear industries, an extensive X-ray inspection program is now in progress. This program was initiated on January 1, 1961, and to date over 1,400 inspections have been performed. At present, pertinent radiological repairs are made by the Agency at the discretion of the owner of X-ray equipment, and materials and labor are currently being provided at no charge.

The State program is designed to control all sources of ionizing radiation. In addition to byproduct, source, and special nuclear materials, regulations require specific licensing of naturally occurring radioactive materials such as radium, and registration of radiation producing machines. The right of inspection is granted to the Agency by regulations.

An agreement with the Atomic Energy Commission will result in radiation control activities in the following fields:

(1) Licensing and regulation of byproduct materials, source materials, special nuclear materials in less than a critical mass, naturally occurring and accelerator-produced isotopes.

(2) Registration and evaluation of machines which produce ionizing radiation.

(3) Environmental monitoring.

Licensing and registration. Provisions have been made for the issuance of both specific and general licenses. The specific license will be issued to authorize possession of radioactive materials not exempted or generally licensed by the Agency. Requirements for the possession of byproduct, source, and special nuclear materials will be comparable to those of the Atomic Energy Commission. In addition, regulations provide that the Agency may require specific radioactive materials licenses for other naturally occurring radioactive materials such as radium.

The responsibility for evaluating applications and issuing licenses rests with the Radiological Health Unit. Provisions have been made for a Radiation Advisory Board which will assist in evaluations that are unique and require technical consultation. When possible, this Board will consist of physicians, a nuclear physicist, nuclear technologists, engineers, metallurgists, certified radiation physicists, and health physicists.

Prelicensing inspections will be an integral part of the evaluation procedure. In cases where individuals may be affected by procedures or decisions of the Agency, provisions allow for a hearing, and any interested party may be heard.

With respect to human use of radioactive materials, a committee of not less than three qualified physicians will be available for consultation and recommendations concerning license applications.

Inspection. Based upon the existing number and kind of the specific licenses, a priority system will be established under which inspection of the most hazardous activities will be conducted at least once each 6 months, and the remainder on a less-frequent basis, depending upon the relative hazard. Initial priorities will be established on the basis of the preinspections. It is expected that all licensed activities will be inspected at least once in 2 years.

Most inspections will be scheduled visits; a significant number may be on an unannounced basis. Inspection visits will usually entail a comprehensive review by the inspector of the licensee's equipment, facilities, the handling or storage of radioactive material, the procedures in effect, including actual operation, and interviewing the personnel directly involved. The inspector will review the licensee's survey methods and results, personnel monitoring practices and results, the posting and labeling used, the instructions to personnel, and the methods and apparent effectiveness of maintaining control of people in the restricted area. He will review the licensee's records of receipts, transfers, and inventory of licensed material. He may physically check the inventory. He will examine records concerning disposal to the sewerage system and burial in the soil, if pertinent. He may take measurements of radiation levels. Prior to leaving the licensee's premises, he will meet with management to discuss the results of his inspection. During this meeting, he will attempt to answer questions concerning the regulatory program.

The inspector will prepare a report in sufficient detail to inform his supervisor of the facts and circumstances observed during the inspection. These reports will provide the basis for any necessary enforcement action.

In addition, there will be investigations of incidents and complaints involving licensed materials and operations to determine the cause, the steps taken by the licensee to cope with the incident, whether or not there was noncompliance with a regulation, and the steps the licensee is taking to avoid recurrence of the incident.

Licensees will be informed of the results of all inspections, first orally at the time of the inspection, and by letter or notice from the inspecting agency.

Enforcement. Reports of inspections of licensees' activities will be evaluated by the inspecting agency to determine the status of compliance of the licensees with license conditions and regulations. If no item of noncompliance is observed, the licensee is so informed. If only minor matters of noncompliance, such as improper signs, failure to label, etc., are involved, which, at the time of the inspection the licensee agrees to correct, the licensee will be informed in writing of the items of noncompliance and that corrective action will be reviewed during the next inspection. If the inspection reveals a noncompliance of a more serious nature, the licensee will be required to inform the inspecting agency in writing, usually within 15 to 30 days, as to corrective action taken and the date completed. In these cases, the inspecting agency representative will either conduct a prompt follow-up inspection or the matter will be reviewed during a regular inspection to insure that corrective action has, in fact, been accomplished. If the reply does not satisfactorily explain the noncompliance and assure that further violations will be prevented, the inspecting agency will take such administrative actions as are available.

It is expected that most of the enforcement functions will be administratively consummated by the Radiological Health Unit. In cases where this is not successful, the Radiological Health Unit will refer the matter to the Executive Officer of the State Board of Health, who may issue an order to show cause why the license should not be modified or terminated.

Pursuant to Mississippi Law, Section 7031, Code of 1942, which allows the State Board of Health to make and publish all reasonable rules and regulations necessary to enable it to discharge its duties and powers and carry out the purposes and objects of its creation, an injunction or other court order may be obtained prohibiting any violation of any provision of the regulations of the State Board of Health or any order issued thereunder. Any person who willfully violates any of the provisions of the regulations adopted by the State Board of Health, or any order issued thereunder, may be guilty of a crime, and upon conviction may be punished by fine or imprisonment or both, as provided by law.

Provisions are made which entitle an opportunity for a hearing upon the request of any person whose interest may be affected by proceedings, and any person may be allowed as a party to such a hearing.

Transfer of material. Byproduct, source, special nuclear materials in quantities not sufficient to form a critical mass, or other radioactive materials including radon, radium, polonium, and accelerator-produced isotopes, may not be transferred except as authorized pursuant to regulations of the State Board of Health.

The transfer of the above sources of radiation may be made to: (1) The State Board of Health, (2) the U.S. Atomic Energy Commission, or any successor thereto authorized to receive such material, (3) any person exempt from these regulations pertaining to the transfer of radioactive materials to the extent permitted under such exemption, (4) any person licensed to receive such material under terms of a general or specific license issued by the State Board of Health, the U.S. Atomic Energy Commission, or any successor thereto, or any other state having an agreement with the USAEC pursuant to section 274 of the Atomic Energy Act of 1954 as amended, or to any person otherwise authorized to receive such material by the Federal Government or any agency thereof, the State Board of Health, or any other State having an agreement with the USAEC pursuant to section 274 of the Atomic Energy Act of 1954 as amended, (5) as otherwise authorized by the State Board of Health in writing.

Reciprocal recognition of licenses. Persons who use, transfer, possess, or receive source, byproduct, or special nuclear material in quantities not sufficient to form a critical mass within this State, pursuant to a license issued by the U.S. Atomic Energy Commission or any State having an agreement with the U.S. Atomic Energy Commission pursuant to section 274 of the Atomic Energy Act of 1954, as amended, may be excepted from the requirement for a license under this regulation: *Provided that,* Such persons notify the Agency immediately of the presence of such materials within this State.

Maintaining compatibility. It is recognized that frequent modifications are necessary in a program of this nature. The State Board of Health is cognizant of the responsibility which it assumes in accepting direction of this program, and will make every effort to maintain the existing compatible relationship with the Atomic Energy Commission. It is further realized that a close working relationship will have to be maintained between the State and the Atomic Energy Commission, and the State Board of Health is willing to participate in various programs sponsored by the Commission or others.

[F.R. Doc. 62-3384; Filed, Apr. 6, 1962; 8:47 a.m.]

[Docket No. 50-190]

AMF ATOMICS

Notice of Issuance of Utilization Facility Export License

Please take notice that no request for a formal hearing having been filed following publication in the FEDERAL REGISTER on September 1, 1961, (26 F.R. 8262) of a notice of receipt of the application, the Atomic Energy Commission has issued License No. XR-46 to AMF Atomics, A Division of American Machine & Foundry Company authorizing the export of a five megawatt thermal pool type nuclear research reactor to the Pakistan Atomic Energy Commission, Rawalpindi, Pakistan.

The Bilateral Agreement between the United States and Pakistan pursuant to which the reactor was to have been exported expired while action on the license was pending. Subsequently, a Project Agreement between Pakistan and the International Atomic Energy Agency (IAEA) was signed and the IAEA requested that the Atomic Energy Commission authorize the export of the reactor to Pakistan pursuant to the Agreement for Co-operation between the United States and the IAEA. AMF Atomics' application was amended on April 6, 1962 to provide that the reactor would be exported pursuant to the Agreement for Co-operation between the United States and the IAEA.

The Commission has found that the reactor proposed to be exported is a utilization facility as defined in the Atomic Energy Act of 1954, as amended and the Commission's regulations.

The Commission has further found that the issuance of a license for the export of the reactor is within the scope of and is consistent with the terms of the Agreement for Co-operation between the United States and the International Atomic Energy Agency.

Dated at Germantown, Md., this 23d day of April 1962.

For the Atomic Energy Commission.

R. L. KIRK,
Deputy Director, Division of Licensing and Regulation.

[F.R. Doc. 62-4138; Filed, Apr. 27, 1962; 8:45 a.m.]

FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 14548; FCC 62M-591]

ANDRES CALANDRIA

Order Scheduling Hearing

In the matter of Andres Calandria, New Orleans, Louisiana, Docket No. 14548; suspension of Amateur Radio Operator License—K5MVP.

It is ordered, This 24th day of April 1962, that James D. Cunningham will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on May 22, 1962, in New Orleans, Louisiana.

Released: April 24, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4170; Filed, Apr. 27, 1962; 8:47 a.m.]

[Docket No. 14488 etc.; FCC 62M-584]

DOVER BROADCASTING CO. ET AL.

Order Continuing Hearing

In re applications of Dover Broadcasting Company, Richmond, Virginia, Docket No. 14488, File No. BP-13831; 1540 Radio, Inc., Richmond, Virginia, Docket No. 14489, File No. BP-14813; Homer C. Eliades and Plato G. Eliades, d/b as Eliades Broadcast Company, Hopewell, Virginia, Docket No. 14491, File No. BP-14820; for construction permits.

The Hearing Examiner is in receipt of a letter filed in the office of the Secretary on April 19, 1962, which was written on behalf of each of the three above-entitled applicants requesting that the hearing scheduled to begin on Monday, April 23, 1962 be continued to May 7, 1962, and the date for the exchange of the 307(b) exhibits scheduled for April 30, 1962 be continued.

The letter states that the three applicants are presently conducting negotiations with a view toward a final merger which would eliminate the necessity for a hearing and that the negotiations appear to be sufficiently promising to warrant further opportunity for exploration and discussion.

While the pleading is deficient in the fact that it is not in proper form and sufficient number of copies have not been filed to constitute compliance with Commission Rules, the letter nevertheless advises the Hearing Examiner of facts which would warrant the granting of the relief requested. The Hearing Examiner, accordingly, will treat the letter as an informal request for continuance which request meets the approval of all parties to the proceeding.

It is ordered, This the 20th day of April 1962, that the informal request for continuance of the hearing and for the exchange of the 307(b) exhibits is granted and the date for the start of the evidentiary hearing is continued from April 23, 1962, to May 7, 1962, and the date for the exchange of the 307(b) exhibits is continued from April 30, 1962, to a date to be announced at the rescheduled May 7, 1962 hearing.

Released: April 23, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4171; Filed, Apr. 27, 1962; 8:47 a.m.]

[Docket No. 14166 etc.; FCC 62-379]

EASTERN BROADCASTING SYSTEM, INC., ET AL.

Memorandum Opinion and Order Amending Issues

In re applications of Eastern Broadcasting System, Inc., Brookfield, Connecticut, et al., Docket No. 14166, File No. BP-13017, et al.; for construction permits.

1. The Commission has before it for consideration George F. O'Brien's petition to enlarge issues filed January 8, 1962, together with pleadings properly filed in response thereto.

2. Petitioner requests addition of a 3.35 issue to the designation Order (FCC 61-971) as to Blair A. Walliser who, like petitioner, is proposing a standard broadcast station on 940 kc, 1 kw, D, at New Milford, Connecticut.

3. Though the petitioner's allegations do not warrant addition of the issues,[1] they will be added on our own motion. Thus, it appears that considerable overlap would occur between the 0.5 mv/m contours of Walliser's New Milford proposal, and Station WEOK, Poughkeepsie, New York; that considerable 0.5 mv/m overlap would also occur between Walliser's New Milford proposal and his Milford proposal (BP-14106); and that the 2 mv/m contour of the New Milford would overlap some of the 0.5 mv/m contours of Station WEOK and of the Milford proposal. It further appears that within a radius of approximately fifty miles, Walliser has interests in two standard broadcast stations (WEOK, Poughkeepsie, New York, and WNTA, Newark, New Jersey), and proposes two additional standard broadcast stations (at New Milford, and at Milford, both in Connecticut). Walliser also has interests in WACE, Chicopee, Massachusetts; WKST, New Castle, Pennsylvania; and BP-13850 at Pittsburgh, Pennsylvania.

4. Should it ultimately be determined that the grant of the instant proposal would be consistent with § 3.35 of the Commission's rules except for the pendency of one or more Walliser's other proposals, the grant of its instant application will be made subject to the condition that program tests will not be authorized until he divests himself of his interests in such other proposal or proposals.

Accordingly, it is ordered, This 12th day of April 1962, That George F. O'Brien's petition to enlarge issues, filed January 8, 1962, is denied; and

It is further ordered, That on the Commission's own motion the issues in the designation Order corrected June 28, 1961 (FCC 61-791) are further amended by renumbering Issue 15 as Issue 16 and by the addition of the following issue:

15. To determine whether a grant of Blair A. Walliser's New Milford, Connecticut, proposal (BP-13673) would result in substantial overlap or in concentration of control in violation of § 3.35 of the Commission's rules.

Released: April 19, 1962.

FEDERAL COMMUNICATIONS COMMISSION,[1]
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4172; Filed, Apr. 27, 1962; 8:48 a.m.]

[1] Petitioner's request based upon Walliser's actual and proposed interest in more than seven standard broadcast stations has been rendered moot by the subsequent abandonment of two proposals.

[1] Commissioner Hyde dissenting.

[Docket Nos. 14608, 14609; FCC 62M-590]

GOODWILL STATIONS, INC., AND LAKE HURON BROADCASTING CORP.

Order Scheduling Hearing and Conference

In re applications of the Goodwill Stations, Inc., Flint, Michigan, for Renewal of License of Television Station WJRT (including TV auxiliary Stations KD-9611, KE-4899, KQK-47 Main and Alternate Main, KQK-52 and KQK-53), Docket No. 14608, File No. BRCT-505; Lake Huron Broadcasting Corporation, Flint, Michigan, for construction permit for new television broadcast station (Channel 12), Docket No. 14609, File No. BPCT-2954.

It is ordered, This 23d day of April 1962, that H. Gifford Irion will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 20, 1962, in Washington, D.C.: *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Friday, May 25, 1962.

Released: April 24, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4173; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket No. 8716 etc.; FCC 62M-587]

GREENWICH BROADCASTING CORP. ET AL.

Order Scheduling Conference and Continuing Hearing

In re applications of the Greenwich Broadcasting Corporation, Greenwich, Connecticut, et al., Docket No. 8716, File No. BP-6315; Docket Nos. 14569, 14571, 14573, 14574, 14575, 14576; for construction permits.

As a result of agreements reached upon the record of a prehearing conference held this date in the above-entitled matter.

It is ordered, This 23d day of April 1962, that:

1. There shall be an exchange of engineering measurements among the parties on or before May 28, 1962;

2. There shall be an informal engineering conference among the parties on June 4, 1962 at an hour and place for the parties to determine among themselves;

3. There shall be an exchange of formal engineering exhibits by June 18, 1962; and

4. There shall be a further prehearing conference in this matter commencing at 9:00 a.m., June 26, 1962 in the Commission's offices in Washington, D.C.; and

It is further ordered, That the June 4, 1962, informal engineering conference may be limited or eliminated if the parties jointly agree; and

It is further ordered, That the hearing in this matter now scheduled for June 6, 1962, is postponed to a date to be determined at the June 26, 1962, prehearing conference.

Released: April 24, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4175; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket Nos. 14552-14556; FCC 62M-576]

LARAMIE COMMUNITY TV CO. AND ALBANY ELECTRONICS, INC.

Order Scheduling Hearing and Conference

In re applications of Laramie Community TV Company, Division of Collier Community TV Co., Inc., Laramie, Wyoming, Docket No. 14552, File No.

BPTTV-78; Laramie Community TV Company, Division of Collier Community TV Co., Inc., Tie Siding, Wyoming, Docket No. 14553, File No. BPTTV-79; Laramie Community TV Company, Division of Collier Community TV Co., Inc., Laramie, Wyoming, Docket No. 14554, File No. BPTTV-80; Albany Electronics, Inc., Laramie, Wyoming, Docket No. 14555, File No. BPTTV-539; Albany Electronics, Inc., Laramie, Wyoming, Docket No. 14556, File No. BPTTV-540; for construction permits for VHF translator stations.

It is ordered, This 20th day of April 1962, that Asher H. Ende will preside at the hearing in the above-entitled proceeding which is hereby scheduled to commence on June 20, 1962, in Laramie, Wyoming; *And, it is further ordered,* That a prehearing conference in the proceeding will be convened by the presiding officer at 9:00 a.m., Wednesday, May 9, 1962, in Washington, D.C.

Released: April 20, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4176; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket Nos. 12666-12668; FCC 62M-595]

PUBLIX TELEVISION CORP. ET AL.

Order Continuing Hearing

In re applications of Publix Television Corporation, Perrine, Florida, Docket No. 12666, File No. BPCT-2392; South Florida Amusement Company, Inc., Perrine, Florida, Docket No. 12667, File No. BPCT-2410; Coral Television Corporation, South Miami, Florida, Docket No. 12668, File No. BPCT-2493; for construction permits for television broadcast stations.

The Hearing Examiner having under consideration the petition for continuance of hearing filed on April 23, 1962, by the Commission's Broadcast Bureau;

It appearing that all parties have consented to immediate consideration and grant of the said petition and that good cause for a grant thereof is present;

It is ordered, This 23d day of April 1962, that the said petition is granted and the hearing herein presently scheduled for May 1, 1962, is continued to May 8, 1962, commencing at 10:00 a.m., in the offices of the Commission at Washington, D.C.

Released: April 24, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4177; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket Nos. 14493, 14494; FCC 62M-583]

HAYWARD F. SPINKS AND GREENVILLE BROADCASTING CO.

Order Continuing Hearing

In re applications of Hayward F. Spinks, Hartford, Kentucky, Docket No. 14493, File No. BP-14291; C. P. Stovall, Sr., and C. P. Stovall, Jr., d/b as Greenville Broadcasting Company, Greenville, Kentucky, Docket No. 14494, File No. BP-15005; for construction permits.

On the oral request of counsel for Greenville, and without objection by counsel for the other parties: *It is ordered,* This 20th day of April 1962, that the hearing is rescheduled from May 1 to Monday, May 14, 1962, at 10 a.m., in the offices of the Commission, Washington, D.C.

Released: April 23, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4174; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket No. 14577; FCC 62M-589]

TRIANGLE PUBLICATIONS, INC. (WNHC-TV)

Order Continuing Hearing

In re application of Triangle Publications, Inc. (WNHC-TV), (Radio and Television Division), New Haven, Connecticut, Docket No. 14577, File No. BPCT-2897; for construction permit.

Pursuant to agreement of counsel for all parties on the record at the prehearing conference held on April 23, 1962: *It is ordered,* This 23d day of April 1962, that the following procedural dates are established:

Submission of applicant's direct written engineering exhibits to all parties with copies to the Hearing Examiner	May 11, 1962
Informal engineering conference	May 18, 1962
Hearing on applicant's engineering case	May 23, 1962

It is further ordered, That the hearing in this proceeding, now scheduled to commence on May 21, 1962, is continued to 10:00 a.m., May 23, 1962.

Released: April 24, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4178; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket Nos. 14537-14545; FCC 62M-588]

W.W.I.Z., INC., ET AL.

Order Continuing Hearing

In re applications of W.W.I.Z., Inc., Lorain, Ohio, et al., Docket No. 14537, File No. BR-3707; Docket Nos. 14538-14545; for renewal of license of Station WWIZ, Lorain, Ohio, etc.

The Hearing Examiner having under consideration the record of a prehearing conference in the above-entitled matter held on April 23, 1962;

It is ordered, This 23d day of April 1962, That the hearing herein heretofore scheduled to commence on May 8, 1962, is continued to June 11, 1962, commencing at 10:00 a.m., in the offices of the Commission at Washington, D.C.

Released: April 24, 1962.

FEDERAL COMMUNICATIONS COMMISSION,
[SEAL] BEN F. WAPLE,
Acting Secretary.

[F.R. Doc. 62-4179; Filed, Apr. 27, 1962; 8:48 a.m.]

FEDERAL POWER COMMISSION

[Docket No. G-16011]

NEW YORK STATE NATURAL GAS CORP. AND THE MANUFACTURERS LIGHT AND HEAT CO.

Notice of Petition To Amend

APRIL 24, 1962.

Take notice that on February 12, 1962, New York State Natural Gas Corporation (New York), 2 Gateway Center, Pittsburgh 22, Pennsylvania, and The Manufacturers Light and Heat Company (Manufacturers), 800 Union Trust Building, Pittsburgh 19, Pennsylvania (sometimes hereinafter referred to jointly as Petitioners), filed in Docket No. G-16011 a joint petition to amend the Commission's order issued February 20, 1959, in Docket No. G-16011, all as more fully set forth in the joint petition on file with the Commission and open to public inspection.

The order of February 20, 1959, issued a certificate of public convenience and necessity authorizing Petitioners to exchange natural gas, pursuant to an exchange agreement dated July 28, 1958, and to construct and to operate facilities necessary therefor. Presently New York delivers natural gas produced in the Armagh Section, Nolo Field, Indiana County, to Manufacturers, and Manufacturers delivers to New York equivalent volumes of gas produced in the Benezette Field, Elk County, and the Rockton Field, Clearfield County, all in Pennsylvania.

Under the subject proposal, New York will construct 2,200 feet of 2-inch pipeline from its Learn Well No. 1 in the Jacksonville Field, Indiana County, Pennsylvania, to connect with Manufacturers' 3-inch pipeline near the Learn Well, and Manufacturers will construct and operate a measuring station at the point of interconnection. The Learn Well is not in the Armagh Section and is not, therefore, part of the presently authorized exchange arrangement. Petitioners seek herein to have the February 20, 1959, order amended so as to include said Learn Well production in the exchange arrangement. Petitioners have entered into an amendatory agreement, dated January 29, 1962, to provide for the Learn Well production.

The estimated cost of New York's and Manufacturers' proposed facilities is $3,000 and $1,600, respectively.

Protests, request for hearing, or petitions to intervene in this proceeding may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the Commission's rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 21, 1962.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-4180; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket Nos. G-12499, G-17814, G-20513]

NORTH PENN GAS CO.

Notice of Postponement of Hearing

APRIL 24, 1962.

Upon consideration of the motion filed April 19, 1962, by Counsel for North Penn Gas Company for postponement of the hearing now scheduled for April 30, 1962, in the above-designated matter;

The hearing now scheduled for April 30, 1962, is hereby postponed to June 4, 1962, at 10:00 a.m., in a hearing room of the Federal Power Commission, 441 G Street NW., Washington, D.C.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-4181; Filed, Apr. 27, 1962; 8:48 a.m.]

[Docket No. CP62-142]

TEXAS EASTERN TRANSMISSION CORP.

Notice of Application and Date of Hearing

APRIL 23, 1962.

Take notice that on December 8, 1961, Texas Eastern Transmission Corporation (Applicant), Texas Eastern Building, Houston, Texas, filed in Docket No. CP62-142 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the sale and delivery of natural gas to Texas Gas Transmission Corporation (Texas Gas) from four of Applicant's units in the Calhoun Field, Ouachita Parish, Louisiana, all as more fully set forth in the application on file with the Commission and open to public inspection.

The gas proposed to be sold will be Applicant's share of the Clara Hodge, J. B. Brown No. 1, R. R. Fuller No. 1 and T. A. Grant No. 1 Units in the Calhoun Field.

The application shows that the sale will be made pursuant to a gas sales contract, dated September 3, 1958, between Texas Gas and Southwestern Gas Producing Company, Inc. By agreement, dated November 22, 1961, Applicant ratified the foregoing contract to provide for the sale herein proposed, as its basic contract in subject Docket No. CP62-142.

The proposed sale will be made at an initial price of 16.5 cents per Mcf at 15.025 psia plus 1.75 cents per Mcf tax reimbursement, or a total initial price of 18.25 cents per Mcf.

This matter is one that should be disposed of as promptly as possible under the applicable rules and regulations and to that end:

Take further notice that, pursuant to the authority contained in and subject to the jurisdiction conferred upon the Federal Power Commission by sections 7 and 15 of the Natural Gas Act, and the Commission's rules of practice and procedure, a hearing will be held on May 24, 1962, at 9:30 a.m., e.d.s.t., in a Hearing Room of the Federal Power Commission, 441 G Street NW., Washington, D.C., concerning the matters involved in and the issues presented by such application: *Provided, however,* That the Commission may, after a non-contested hearing, dispose of the proceedings pursuant to the provisions of § 1.30(c) (1) or (2) of the Commission's rules of practice and procedure. Under the procedure herein provided for, unless otherwise advised, it will be unnecessary for Applicant to appear or be represented at the hearing.

Protests or petitions to intervene may be filed with the Federal Power Commission, Washington 25, D.C., in accordance with the rules of practice and procedure (18 CFR 1.8 or 1.10) on or before May 14, 1962. Failure of any party to appear at and participate in the hearing shall be construed as waiver of and concurrence in omission herein of the intermediate decision procedure in cases where a request therefor is made.

GORDON M. GRANT,
Acting Secretary.

[F.R. Doc. 62-4140; Filed, Apr. 27, 1962; 8:45 a.m.]

[Docket No. CP62-208]

UNITED GAS PIPE LINE CO.

Notice of Application and Date of Hearing

APRIL 23, 1962.

Take notice that on March 5, 1962, United Gas Pipe Line Company (Applicant), 1525 Fairfield Avenue, Shreveport, Louisiana, filed in Docket No. CP62-208 an application pursuant to section 7(c) of the Natural Gas Act for a certificate of public convenience and necessity authorizing the construction and operation of new delivery points and the sale and delivery of natural gas to United Gas Corporation for resale and distribution, all as more fully set forth in the application which is on file with the Commission and open to public inspection.

Applicant proposes to construct and operate the following facilities:

(1) A 2-inch tap valve at approximate Milepost 100 at a point in Section 12, Township 3 North, Range 2 East, on Applicant's 30-inch South-to-North Louisiana line to serve the communities of Effie and Center Point, Avoyelles Parish, Louisiana;

(2) A 2-inch tap valve at approximate Milepost 109.23 at a point in Section 31, Township 5 North, Range 2 East, on Applicant's 30-inch South-to-North Louisiana line to serve the communities of Buckeye, Deville, and Holloway, Rapides Parish, Louisiana; and

(3) A 2-inch tap valve at approximate Milepost 111.64 at a point in Section 12, Township 5 North, Range 2 East, on Applicant's 30-inch South-to-North Louisiana line to serve the community of Hickory Grove, Rapides Parish, Louisiana.

United Gas Corporation will construct and operate the distribution systems in