

## NOTICES

centum or more exists therein, and (d) to provide for withdrawal of all persons from the mine if ventilation cannot be restored within such reasonable time. \*\*\*

To be read in conjunction with section 75.321 is 30 CFR 75.321-1 which provides:

Unless a different period of time is approved by the Coal Mine Safety District Manager, "reasonable period" referred to in 75.321 means a time lapse of not more than 15 minutes.

In support of its petition, Petitioner states:

Modification of Section 75.321 is sought because of the amount of water in the effected areas of the subject mine. Petitioner is not able to de-energize the power at any time because if the pumps are not functioning, it is estimated that in 30 minutes or less the area would become flooded. The area referred to in this Petition is that portion of Banning No. 4 Mine from the elevator to 4 right, No. 24 butt and is approximately 6,500 ft. in length. The remainder of the mine will be in full compliance with the law.

## ALTERNATE METHOD

The proposed alternative procedure offers a degree of safety inasmuch as adequate ventilation will be constantly maintained, and, during fan stoppages, the aforementioned area will be patrolled and examined by certified persons who will have constant communication with the surface. This method will guarantee no less than the same measure of protection afforded the miners by the mandatory safety standard.

Persons interested in this petition may request a hearing on the petition or furnish comments on or before October 17, 1975. Such requests or comments must be filed with the Office of Hearings and Appeals, Hearings Division, U.S. Department of the Interior, 4015 Wilson Boulevard, Arlington, Virginia 22203. Copies of the petition are available for inspection at that address.

JAMES R. RICHARDS,  
Director, Office of  
Hearings and Appeals.

SEPTEMBER 8, 1975.

[FR Doc. 75-24677 Filed 9-16-75; 8:45 am]

**DEPARTMENT OF COMMERCE  
LEAD AND ZINC CONSUMPTION AND  
PRODUCTION**

## Open Meetings

The Departments of Commerce and Interior will chair informal meetings to discuss the outlook for U.S. lead and zinc consumption and production for use at the annual meeting of the International Lead and Zinc Study Group to be held this November. The Department of Commerce meeting, to be attended by representatives of the lead and zinc consuming industries, will be held September 25, 1975 at 10:30 a.m., in Room 3817, U.S. Department of Commerce, 14th Street and Constitution Avenue, N.W., Washington, D.C. 20230. The Department of the Interior meeting, to be attended by representatives of the lead and zinc producing industries, will be held September 25,

1975 at 10:30 a.m., in Room 1042 of the Columbia Plaza Office Building, 2401 E Street, N.W., Washington, D.C. 20241. The meetings will be open to public observation. A limited number of seats will be available to the public on a first-come, first-served basis.

Dated: September 12, 1975.

RICHARD EHMANN,  
Acting Deputy Assistant Secretary, Bureau of Resources and Trade Assistance.

JOHN D. MORGAN, Jr.,  
Associate Director, Mineral and Materials Supply/Demand Analysis, Bureau of Mines.

[FR Doc. 75-24777 Filed 9-16-75; 8:45 am]

**Domestic and International Business Administration**

**SEMICONDUCTOR MANUFACTURING AND TEST EQUIPMENT TECHNICAL ADVISORY COMMITTEE**

## Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that a meeting of the Semiconductor Manufacturing and Test Equipment Technical Advisory Committee will be held on Tuesday, October 21, 1975, at 9:30 a.m. in Room 5230, Main Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C.

The Semiconductor Manufacturing and Test Equipment Technical Advisory Committee was initially established on January 3, 1973. On December 20, 1974, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to Section 5(c) (1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c) (1) (Supp. III, 1973) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to semiconductor manufacturing and test equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has six parts:

## GENERAL SESSION

- (1) Opening remarks by the Director, Office of Export Administration.
- (2) Overview of the Office of Export Administration by the Director, OEA.
- (3) Election of Chairman.
- (4) Presentation of papers or comments by the public.
- (5) Technical problems relating to export control coverage of semiconductor manufacturing and test equipment.

## EXECUTIVE SESSION

- (6) Discussion of matters properly classified under Executive Order 11652 dealing

with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (6), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on December 16, 1974, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b) (1), i.e., it is specifically required by Executive Order 11652 that they be kept confidential in the interest of the national security. All matters have been properly classified under the Executive Order. All Committee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Room 3100, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202-967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in *Aviation Consumer Action Project, et al. v. C. Langhorne Washburn, et al.*, September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Semiconductor Manufacturing and Test Equipment Technical Advisory Committee and of any subcommittees thereof is hereby published.

Dated: September 12, 1975.

RAUER H. MEYER,  
Director, Office of Export Administration, Bureau of East-West Trade.

## Notice of Determination

In response to written requests of representatives of a substantial segment of the semiconductor manufacturing and test equipment industry, the Semiconductor Manufacturing and Test Equipment Technical Advisory Committee was established by the Secretary of Commerce pursuant to Section 5(c) (1) of the Export Administration Act of 1969, 50 U.S.C. App. Section 2404(c) (1) (Supp. III, 1974), as amended, Public Law No. 93-500, Section 5(b) (October 29, 1974),

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to advise the Department of Commerce with respect to questions involving technical matters, worldwide availability, and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to semiconductor manufacturing and test equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee, which currently has eight members representing industry and six members representing government agencies, will terminate no later than January 3, 1977, unless extended by the Secretary of Commerce. All members of the Committee have the appropriate security clearance.

The Committee's activities are conducted in accordance with the provisions of Section 5(c)(1) of the Export Administration Act of 1969, as amended, the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. II, 1972), and Office of Management and Budget Circular A-63 (Revised), Advisory Committee Management, effective May 1, 1974. Section 10 of the Federal Advisory Committee Act provides, among other things, that the meetings of advisory committees are to be open to the public, and to public participation, unless the head of the agency (or his delegate) to which the committee reports determines in writing that all, or some portion, of the agenda of the meeting of the committee is concerned with matters listed in Section 552(b) of Title 5 of the United States Code.

Section 552(b)(1) of Title 5, United States Code, provides that information may be withheld from the public if it concerns matters specifically required by Executive Order to be kept secret in the interest of the national defense or foreign policy.

Notices of Determination authorizing the closing of meetings, or portions thereof, of the Semiconductor Manufacturing and Test Equipment Technical Advisory Committee and its formal subcommittees, dealing with security classified matters, were approved on March 6, 1973 for the meeting of March 27, 1973; on June 18, 1973 for the meeting of June 29, 1973; on August 21, 1973 for a series of meetings from August 21, 1973 through December 31, 1973; on December 26, 1973 for a series of meetings for the period January 1, 1974 through April 30, 1974; and on May 16, 1974, covering a series of meetings from May 1, 1974 through January 3, 1975.

In order to provide advice to the Department under the terms of its charter, the Committee on formal subcommittees thereof will continue to hold a series of meetings dealing with the matters set forth in the first paragraph of this Determination. These meetings will include discussions of the COCOM control lists as it relates to the commodities and technical data under its purview, and with the foreign availability of these commodities and technical data. In addition, the Committee and its formal subcommittees will be preparing recommendations for the Department's consideration relating to the U.S. Government's negotiating position on COCOM-related matters. Much of the information relating to the COCOM control list, as well as proposed changes, is now or will be security classified for national security or foreign policy reasons, pursuant to Executive Order No. 11652, 3 C.F.R. 339 (1974). In order for the Committee and its formal subcommittees to provide required advice to the U.S. Government, it will be necessary to provide the Committee and its formal

subcommittees with such classified material. Therefore, the portions of the series of meetings of the Committee and of subcommittees thereof that will involve discussions of matters specifically authorized under criteria established by an executive order to be kept secret in the interest of national defense or foreign policy and are in fact properly classified pursuant to such executive order, must be closed to the public. The remaining portions of the series of meetings will be open to the public.

Accordingly, I hereby determine, pursuant to Section 10(d) of the Federal Advisory Committee Act that those portions of the series of meetings of the Committee and of any subcommittees thereof, dealing with the aforementioned classified materials shall be exempt, for the period January 4, 1975, to January 3, 1976, from the provisions of Section 10 (a)(1) and (a)(3), relating to open meetings and public participation therein, because the Committee and subcommittee discussions will be concerned with matters listed in Section 552(b)(1) of Title 5, United States Code. The remaining portions of the meetings will be open to the public.

Dated: December 16, 1974.

GUY W. CHAMBERLIN,  
Acting Assistant Secretary  
for Administration.

Dated: December 12, 1974.

ALFRED MEISNER,  
Acting General Counsel.

{FR Doc.75-24713 Filed 9-16-75; 8:45 am}

### TELECOMMUNICATIONS EQUIPMENT TECHNICAL ADVISORY COMMITTEE

#### Partially Closed Meeting

Pursuant to the provisions of the Federal Advisory Committee Act, 5 U.S.C. App. I (Supp. III, 1973), notice is hereby given that a meeting of the Telecommunications Equipment Technical Advisory Committee will be held Thursday, October 30, 1975, at 10 a.m., in Room 5230, Main Commerce Building, 14th and Constitution Avenue, N.W., Washington, D.C.

The Telecommunications Equipment Technical Advisory Committee was initially established on April 5, 1973. On March 12, 1975, the Acting Assistant Secretary for Administration approved the recharter and extension of the Committee for two additional years, pursuant to Section 5(c)(1) of the Export Administration Act of 1969, as amended, 50 U.S.C. App. Sec. 2404(c)(1) (Supp. III, 1973) and the Federal Advisory Committee Act.

The Committee advises the Office of Export Administration, Bureau of East-West Trade, with respect to questions involving technical matters, world-wide availability and actual utilization of production and technology, and licensing procedures which may affect the level of export controls applicable to telecommunications equipment, including technical data related thereto, and including those whose export is subject to multilateral (COCOM) controls.

The Committee meeting agenda has seven parts:

#### GENERAL SESSION

- (1) Opening remarks by the Chairman.
- (2) Presentation of papers or comments by the public.
- (3) Report on licensing policies and controls.
- (4) Report on Electronic Industries Association (EIA) sponsored trip to the People's Republic of China.
- (5) Report on foreign availability as exhibited at Telecom '75.
- (6) Other reports on foreign availability.

#### EXECUTIVE SESSION

- (7) Discussion of matters properly classified under Executive Order 11652, dealing with the U.S. and COCOM control program and strategic criteria related thereto.

The public will be permitted to attend the General Session, at which a limited number of seats will be available to the public. To the extent time permits members of the public may present oral statements to the Committee. Written statements may be submitted at any time before or after the meeting.

With respect to agenda item (7), the Assistant Secretary of Commerce for Administration, with the concurrence of the delegate of the General Counsel, formally determined on February 25, 1975, pursuant to Section 10(d) of the Federal Advisory Committee Act that the matters to be discussed in the Executive Session should be exempt from the provisions of the Act relating to open meetings and public participation therein, because the Executive Session will be concerned with matters listed in 5 U.S.C. 552(b)(1), i.e., it is specifically required by the Executive Order 11652 that they be kept confidential in the interest of the national security. All materials to be reviewed and discussed by the Committee during the Executive Session of the meeting have been properly classified under the Executive Order. All Committee members have appropriate security clearances.

Copies of the minutes of the open portion of the meeting will be available upon written request addressed to the Freedom of Information Officer, Room 3100, Domestic and International Business Administration, U.S. Department of Commerce, Washington, D.C. 20230.

For further information, contact Mr. Charles C. Swanson, Director, Operations Division, Office of Export Administration, Domestic and International Business Administration, Room 1620, U.S. Department of Commerce, Washington, D.C. 20230, telephone: A/C 202/967-4196.

In accordance with paragraph (4) of the Order of the United States District Court for the District of Columbia in *Aviation Consumer Action Project, et al., v. C. Langhorne Washburn, et al.*, September 10, 1974, as amended, September 23, 1974 (Civil Action No. 1838-73), the Complete Notice of Determination to close portions of the series of meetings of the Telecommunications Equipment Technical Advisory Committee and of any subcommittees was published in the

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FEDERAL REGISTER (40 FR 17865 appearing in the issue of April 23, 1975).

Dated: September 12, 1975.

RAUER H. MEYER,  
Director, Office of Export Administration, Bureau of East-West Trade, U.S. Department of Commerce.

[FR Doc. 75-24714 Filed 9-16-75; 8:45 am]

## DEPARTMENT OF HEALTH, EDUCATION, AND WELFARE

### Food and Drug Administration

[Docket No. 75G-0265]

### APLIN AND BARRETT LTD.

#### Filing of Petition for Affirmation of GRAS Status

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (secs. 201 (s), 409, 701(a), 52 Stat. 1055, 72 Stat. 1784-1786; 21 U.S.C. 321(s), 348, 371(a)) and the regulations for affirmation of GRAS status (21 CFR 121.40), published in the FEDERAL REGISTER of December 2, 1972 (37 FR 25705), notice is given that a petition (GRASP 5G0049) has been filed by Aplin and Barrett Ltd., Trowbridge, Wiltshire, England BA14 8HS and placed on public display at the office of the Hearing Clerk, Food and Drug Administration, proposing affirmation that NISIN for use in food as an antimicrobial preservative is generally recognized as safe (GRAS).

Any petition which meets the format requirements outlined in 21 CFR 121.40 is filed by the Food and Drug Administration. There is no prefilings review of the adequacy of data to support a GRAS conclusion. Thus, the filing of a petition for GRAS affirmation should not be interpreted as a preliminary indication of suitability for affirmation.

Interested persons may, on or before November 17, 1975, review the petition and/or file comments (preferably in quintuplicate) with the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852. Comments should include any available information that would be helpful in determining whether the substance is, or is not, generally recognized as safe. A copy of the petition and received comments may be seen in the office of the Hearing Clerk, address given above, during working hours, Monday through Friday.

Dated: September 10, 1975.

HOWARD R. ROBERTS,  
Acting Director,  
Bureau of Foods.

[FR Doc. 75-24683 Filed 9-16-75; 8:45 am]

[Docket No. 75F-0218]

### DOW CHEMICAL CO.

#### Filing of Petition for Food Additive

Pursuant to provisions of the Federal Food, Drug, and Cosmetic Act (sec. 409 (b) (5), 72 Stat. 1786; 21 U.S.C. 348(b) (5)), notice is given that a petition (FAP 5B3088) has been filed by Dow Chemical

Co., 2030 Dow Center, Midland, MI 48640, proposing that § 121.2541 Emulsifiers and/or surface-active agents be amended to provide for the safe use of sodium monoalkylphenoxybenzenedisulfonate and sodium dialkylphenoxybenzenedisulfonate mixtures as emulsifiers and/or surface-active agents in the manufacture of articles or components of articles intended to contact food.

The environmental impact analysis report and other relevant material have been reviewed, and it has been determined that the proposed use of the additive will not have a significant environmental impact. Copies of the environmental impact analysis report may be seen in the office of the Assistant Commissioner for Public Affairs, Rm. 15B-42 or the office of the Hearing Clerk, Food and Drug Administration, Rm. 4-65, 5600 Fishers Lane, Rockville, MD 20852, during working hours, Monday through Friday.

Dated: September 10, 1975.

HOWARD R. ROBERTS,  
Acting Director,  
Bureau of Foods.

[FR Doc. 75-24684 Filed 9-16-75; 8:45 am]

## Health Services Administration NATIONAL MIGRANT HEALTH ADVISORY COMMITTEE

### Meeting

In accordance with section 10(a) (2) of the Federal Advisory Committee Act (Public Law 92-463), announcement is made of the following National Advisory body scheduled to assemble during the month of October 1975:

Name: NATIONAL MIGRANT HEALTH ADVISORY COMMITTEE

Date and Time: October 1-3, 1975, 9 a.m.

Place: Parklawn Building, Room 7-23, 5600 Fishers Lane, Rockville, Md.

Open for entire session.

Purpose: The Committee is charged with advising the Administrator, Health Services Administration, on National policies and priorities; program guidelines, standards, and evaluation techniques; and other crucial issues relating to the Migrant Health Program.

Agenda: The agenda will contain orientation to new legislation and draft regulations and review of draft regulations, including the Committee's recommendations.

Agenda items are subject to change as priorities dictate.

The meeting is open to the public for observation and participation. Anyone wishing to participate, obtain a roster of members or other relevant information should contact Mr. Billy M. Sandlin, Parklawn Building, Room 7A-20, 5600 Fishers Lane, Rockville, Maryland 20852, Telephone (301) 443-1153.

NOTE—Post Office inadvertently delayed publication, thereby reducing time of public notice.

Dated: September 10, 1975.

WILLIAM H. ASPDEN, Jr.,  
Acting Associate Administrator  
for Management.

[FR Doc. 75-24872 Filed 9-16-75; 8:45 am]

## Office of Education

### COMPARABILITY DETERMINATIONS Fiscal Year 1976

Section 141(a)(3)(C) of the Elementary and Secondary Education Act of 1965, as amended (20 U.S.C. 241e(a)(3)(C)), requires that a State educational agency approve a project application only upon its determination that the services the applicant local educational agency is providing in project areas with State and local funds are at least comparable to the services that agency is providing in areas not designated for projects under Title I. Regulations governing such determinations are provided at 45 CFR 116.26 as revised and published in the FEDERAL REGISTER on June 28, 1973. State and local educational agencies should also note the provisions of paragraph 17 of Section 403 of Public Law 81-874 as added by Section 101(a)(9)(K) of Public Law 93-380 (H.R. 69) pertaining to the exclusion of certain expenditures from determinations of comparability.

The data required for such determinations of comparability are set forth in paragraph (b) of § 116.26. The same paragraph also provides that for Fiscal Year 1974 and succeeding fiscal years the Commissioner of Education will specify the date, not later than November 1, as of which such data must be secured. Accordingly, I hereby designate October 1, 1975, as the date for this purpose for Fiscal Year 1976 or, as determined by the State educational agency, the nearest date thereto, but not later than November 1, 1975, that has been established as the date as of which reports containing similar data, such as enrollment data, are to be submitted by local educational agencies for State purposes.

(Catalog of Federal Domestic Assistance Program No. 18.428, Educationally Deprived Children—Local Educational Agencies (Title LESEA))

Dated: September 10, 1975.

DUANE J. MATTHEIS,  
Acting Commissioner of Education.

[FR Doc. 75-24707 Filed 9-16-75; 8:45 am]

## Office of the Secretary

### PRESIDENT'S COUNCIL ON PHYSICAL FITNESS AND SPORTS

#### Meeting

The President's Council on Physical Fitness and Sports will hold its quarterly meeting on November 13-14, 1975. The meetings will be held from 9:30 a.m.-5:00 p.m. on Thursday and Friday, November 13 and 14, in Conference Room 7, Building 31, Sixth Floor, C Wing, National Institutes of Health, Bethesda, Maryland.

The purpose of the meeting is to assess progress on the national program of physical fitness and sports and to plan future directions. Two new members have been appointed to the Council by the President and will be attending their first meeting.

A list of the Council members and the Executive Order, dated September 25,

1970, establishing their responsibilities may be obtained from:

Mr. C. Carson Conrad, Executive Director, President's Council on Physical Fitness and Sports, Washington, D.C. 20201. Telephone: 202-755-7947.

The meeting will be open to the public.

Dated: September 4, 1975.

C. CARSON CONRAD,  
Executive Secretary, President's  
Council on Physical Fitness  
and Sports.

[FR Doc. 75-24689 Filed 9-16-75; 8:45 am]

#### REVIEW PANEL ON NEW DRUG REGULATION

##### Meeting

Notice is hereby given, pursuant to Pub. L. 92-463, that the Review Panel on New Drug Regulation, established pursuant to 42 USC 217 a. by the Secretary, Department of Health, Education, and Welfare, on February 21, 1975, will meet on Monday, October 13, 1975, at 9:15 a.m. and Tuesday, October 14, 1975, at 8:30 a.m. in Room 5051 of the Department of Health, Education, and Welfare's North Building, 330 Independence Avenue, S.W., Washington, D.C. The Review Panel will consider matters pertaining to its study of existing policies and procedures for the regulation of new drugs by the Food and Drug Administration.

The meeting is open to the public.

Further information on the Review Panel may be obtained from Dr. Lionel M. Bernstein, Executive Secretary, Review Panel on New Drug Regulation, Room 4617, HEW North Building, 330 Independence Avenue, S.W., Washington, D.C. 20201, telephone (202) 245-7510.

LIONEL M. BERNSTEIN, M.D.,  
Executive Secretary, Review Panel  
on New Drug Regulation.

SEPTEMBER 12, 1975.

[FR Doc. 75-24661 Filed 9-16-75; 8:45 am]

#### DEPARTMENT OF TRANSPORTATION

##### Office of the Secretary

#### TUNNELING RESEARCH AND DEVELOPMENT PROGRAM

##### Public Meeting

The Department of Transportation (DOT) has undertaken a continuing program of research and development in tunneling, under the direction of the Assistant Secretary for Systems Development and Technology (TST). Direct responsibility for the program is assigned to the TST Office of Systems Engineering. That office has developed a draft long-range plan outlining the scope, priorities, and objectives for the tunneling research and development program.

The views of the public, including the transit and construction industries, are desired in the development of the long-range plan. To this end, a public meeting

will be held on October 9 and 10, 1975, commencing each day at 10:00 a.m. (EDT), at the Department of Transportation Headquarters (Nassif) Building, 400 Seventh Street, S.W., Washington, D.C. 20590, in room 10214. A presentation of the draft plan will be made, following which any interested member of the public may make a statement or address questions to the meeting chairman. Additionally, written statements of views and opinions may be submitted by October 31, 1975, to the Office of Systems Engineering (TST-45) at the above address.

Printed material describing prior planning development is available in advance of the public meeting upon request to the Office of Systems Engineering.

Issued in Washington, D.C., September 11, 1975.

W. E. STONEY,  
Acting Assistant Secretary for  
Systems Development and  
Technology.

[FR Doc. 75-24736 Filed 9-16-75; 8:45 am]

#### CIVIL AERONAUTICS BOARD

[Docket No. 28302; Order No. 75-9-36]

#### BRANIFF AIRWAYS, INC. AND FRONTIER AIRLINES, INC.

##### Investigation and Suspension Regarding Proposed Domestic Fare Increases

Adopted by the Civil Aeronautics Board at its office in Washington, D.C. on the 12th day of September, 1975.

By tariff revisions<sup>1</sup> marked to become effective on September 15 and September 18, 1975, respectively, Frontier Airlines, Inc. (Frontier) and Braniff Airways, Inc. (Braniff) propose a general fare increase of 3.5 percent and to make permanent the 4 percent increase which the Board recently permitted to be extended through January 14, 1976 (Order 75-6-72).<sup>2</sup>

Each of the carriers bases its justification on data for the year ended March 31, 1975. However, an evaluation of industry results for the year ended June 30, 1975 will be completed shortly, and the Board is of the opinion that it would be inappropriate to consider fare-increase proposals at this time based upon data which will soon be outdated.

Upon consideration of all relevant matters, the Board has determined that the proposals may be unjust or unreasonable, or unjustly discriminatory, or unduly preferential, or unduly prejudicial, or otherwise unlawful, and should be investigated. The Board further concludes that the proposals should be suspended pending investigation.

Accordingly, pursuant to the Federal Aviation Act of 1958, and particularly sections 204, 403, 404, and 1002 thereof,

<sup>1</sup> Revisions to Airline Tariff Publishers, Company, Inc., Tariff C.A.B. No. 249.

<sup>2</sup> Various other proposals have been made for effect October 1, 1975 which will be dealt with by subsequent order.

#### IT IS ORDERED THAT:

1. An investigation be instituted to determine whether the fares and provisions described in Appendix A<sup>3</sup> attached hereto, and rules, regulations and practices affecting such fares and provisions, are or will be unjust, unreasonable, unjustly discriminatory, unduly preferential, unduly prejudicial, or otherwise unlawful, and, if found to be unlawful, to determine and prescribe the lawful fares and provisions, and rules, regulations, or practices affecting such fares and provisions;

2. Pending hearing and decision by the Board, the fares and provisions described in Appendix A hereto are suspended and their use deferred to and including December 13, 1975, unless otherwise ordered by the Board, and that no changes be made therein during the period of suspension except by order or special permission of the Board; and

3. A copy of this order will be filed in the aforesaid tariffs and be served upon Braniff Airways, Inc., Frontier Airlines, Inc., and the complainants in Dockets 28235 and 28239, which are hereby made parties to this proceeding.

This order will be published in the *FEDERAL REGISTER*.

By the Civil Aeronautics Board:

[SEAL] EDWIN Z. HOLLAND,  
Secretary.

[FR Doc. 75-24723 Filed 9-16-75; 8:45 am]

[Docket No. 27844]

#### CARIBBEAN INTERNATIONAL AIRWAYS LTD.

##### Reassignment of Proceeding

This proceeding has been reassigned from Administrative Law Judge Greer M. Murphy to Administrative Law Judge Burton S. Kolko. Future communications should be addressed to Judge Kolko.

Dated at Washington, D.C., September 11, 1975.

[SEAL] ROBERT L. PARK,  
Chief Administrative Law Judge.

[FR Doc. 75-24721 Filed 9-16-75; 8:45 am]

[Docket No. 27844]

#### CARIBBEAN INTERNATIONAL AIRWAYS LIMITED

##### Rescheduling of Prehearing Conference

Notice is hereby given that the prehearing conference in this proceeding, previously assigned to be held on October 29, 1975 (40 F.R. 34626, August 18, 1975), before Administrative Law Judge Greer M. Murphy, has been rescheduled and will be held on October 3, 1975, at 10:00 a.m. (local time) in Room 726, Universal Building, 1825 Connecticut Avenue NW, Washington, D.C., before Administrative Law Judge Burton S. Kolko.

<sup>3</sup> Filed as part of the original document.