§ 3526.3 **Issuance of lease or grant of other value.**

§ 3526.3–1 **Issuance of lease.**

(a) *Stipulations.* If, after public hearing, the Secretary by written decision concludes that issuance of the exchange lease or coal lease modifications is in the public interest, he shall proceed to establish lease stipulations for operations on the exchange lease or modified coal lease.

(b) *Lease terms.* (1) The exchange lease shall contain a recital that the lessee thereby quitclaims and relinquishes any right or interest in the lease or preference right lease application exchanged.

(2) It shall also contain a recital of the Secretary's finding that issuance is in the public interest.

(3) In all other respects, the exchange lease or modified coal lease shall be subject to the relevant provisions of 43 CFR Part 3500 and standard lease terms thereunder.

§ 3526.3–2 **Grant of exchange rights.**

(a) *Decision.* If, after public hearing, the Secretary, by written decision, concludes that the granting of exchange rights is in the public interest, he shall in exchange for a relinquishment of the existing lease or preference right lease application issue a certificate of binding rights for the value of the relinquished leasehold as previously determined or grant approval of coal lease modifications as previously agreed upon.

(b) *Use of bidding right.* As provided in § 3521.3–2(a) of this Part, an exchange right may be used only as payment pro tanto for the balance due on a successful bonus bid in a competitive coal lease sale.

[FR Doc.77-36735 Filed 12-22-77;8:45 am]

[6712–01]

Title 47—Telecommunication

CHAPTER I—FEDERAL COMMUNICATIONS COMMISSION

[Docket No. 21403; RM-2888]

PART 73—RADIO BROADCAST SERVICES

FM Broadcast Station in Manti, Utah; Changes Made in Table of Assignments

AGENCY: Federal Communications Commission.

ACTION: Report and order.

SUMMARY: Action taken herein assigns a first Class C FM channel to Manti, Utah. The channel provides for an FM station which will furnish first and second FM as well as first and second nighttime aural service to substantial areas and populations.

EFFECTIVE DATE: January 30, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

Mildred B. Nesterak, Broadcast Bureau, 202–632–7792.

SUPPLEMENTARY INFORMATION:

Adopted: December 14, 1977.

Released: December 16, 1977.

In the matter of amendment of § 73.-202(b), Table of Assignments, FM Broadcast Stations. (Manti, Utah); Docket No. 21403, RM-2888. Report and Order (Proceeding Terminated). See 42 FR 51630, September 29, 1977.

1. The Commission herein considers the notice of proposed rulemaking, adopted September 21, 1977, 42 FR 51630, in the above-captioned proceeding, instituted in response to a petition filed by Sanpete County Broadcasting Company ("petitioner"), licensee of AM Station KMTI, Manti, Utah. The petition proposed the assignment of Class C FM Channel 286 to Manti, Utah. No oppositions were filed to the petition. Petitioner filed supporting comments in which it reaffirmed its intention to apply for the channel, if assigned.

2. Manti (pop. 1,803), situated in Sanpete County (pop. 10,976),[1] is located approximately 168 kilometers (105 miles) south of Salt Lake City, Utah. Manti is presently served by a full-time AM station (KMTI), which is licensed to petitioner.

3. Petitioner states that the chief industry in Manti and surrounding area, including substantially all of Sanpete County, is agriculture. It notes that other business in the county includes clothing and apparel concerns, mobile homes and recreation vehicle production.

4. Channel 286 could be assigned to Manti, Utah, in conformity with the minimum distance separation requirements. Twenty-four communities with populations greater than 1,000 would be precluded if the proposed assignment were made. Five of these communities already have commercial FM stations or channel assignments, and the remaining nineteen[2] have Class A or Class C channels available for assignment.

5. Petitioner states that Sanpete County is large in area and that the communities are distributed substantially throughout the county. It points out that only a Class C channel could guarantee service not only to Manti but to all of the populations residing in Sanpete County. Petitioner shows that a Class C station operating with effective radiated power of 25 kilowatts and antenna height of 56 meters (183 feet) a.a.t., would provide a first FM service to a population of 4,645 in an area of 1,378 square kilometers (532 square miles) and a second FM service to a population of 5,699 in an area of 2,793 square kilometers (1,078 square miles). A first nighttime aural service would be provided to a population of 2,845 in an area of 1,248 square kilometers (482 square miles) and a second nighttime aural service would be provided to a population of 7,500 in an area of 2,923 square kilometers (1,128 square miles).

6. We have given careful consideration to the proposal and believe that Channel 286 should be assigned to Manti, Utah. Although a town of this size is not normally assigned a Class C channel, the proposed assignment would provide for an FM station which could render first and second FM and first and second night-time aural service to substantial areas and populations. Since a Class A channel would not provide such service, and since other channels are available for assignment to the communities without FM assignments located within the precluded areas, we believe the public interest would be served by assigning Channel 286 to Manti, Utah.

7. Authority for the action taken herein is contained in Sections 4(i), 5(d)(1), 303(g) and (r) and 307(b) of the Communications Act of 1934, as amended, and Section 0.281 of the Commission's Rules.

8. In view of the foregoing, it is ordered, that effective January 30, 1978, § 73.202(b) of the Commission's Rules and Regulations, the FM Table of Assignments, as regards Manti, Utah, is amended to read as follows:

City:	*Channel No.*
Manti, Utah	286

9. It is further ordered, that this proceeding is terminated.

(Secs. 4, 303, 307, 48 Stat., as amended, 1068, 1082, 1083; 47 U.S.C. 154, 303, 307.)

FEDERAL COMMUNICATIONS COMMISSION,
WALLACE E. JOHNSON,
Chief, Broadcast Bureau.

[FR Doc.77-36671 Filed 12-22-77;8:45 am]

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[1] Population figures are taken from the 1970 U.S. Census.

[2] *Nevada:* McGill (pop. 2,164); *Utah:* Delta (1,610); Fillmore (1,411); Green River (1,-033); Gunnison (1,073); Salina (1,494); Helper (1,964); Mt. Pleasant (1,516); Milford (1,304); Beaver (1,453); Nephi (2,699); Ephraim (2,127); Moab (4,793); Panguitch (1,318); Parowan (1,423); Santaquin (1,236); Kanab (1,381); Monticello (1,431); and Roosevelt (2,005).

[6712–01]

[Docket No. 19554; Docket No. 18893; FCC 77-833]

PART 76—CABLE TELEVISION SERVICE

Removal of Pay Cable Rules

AGENCY: Federal Communications Commission.

ACTION: Order.

SUMMARY: This Order deletes § 76.225, the pay cable rules, in its entirety from the Commission's rules and regulations. This action is necessitated by the decision of the United States Court of Appeals for the District of Columbia in *Home Box Office v. Federal Communications Commission,* No. 1280 et al., (decided March 25, 1977), certiorari denied, 46 L.W. 3216 (October 3, 1977), which held that the Commission had failed to establish its jurisdiction to adopt this rule regulating the programming that could be presented on pay cable and proscribing commercial advertising on pay cable channels.

EFFECTIVE DATE: January 24, 1978.

ADDRESSES: Federal Communications Commission, Washington, D.C. 20554.

FOR FURTHER INFORMATION CONTACT:

William H. Johnson, Cable Television Bureau, 202-632-6468.

SUPPLEMENTARY INFORMATION:

Adopted: December 7, 1977.

Released: December 19, 1977.

In the matter of amendment of part 76, subpart G, of the Commission's Rules and Regulations pertaining to the cablecasting of programs for which a per program or per channel charge is made; Docket No. 19554. ORDER. *See* 40 FR 52731, November 12, 1975.

Amendment of §§ 73.643(b)(2) and 74.1121(a)(2) of the Commission's Rules and Regulations pertaining to the showing of sports events on over-the-air subscription television or by cablecasting; Docket No. 18893.

ORDER. *See* 40 FR 52731, November 12, 1975.

1. The Commission has before it for consideration its First Report and Order in Dockets 19554 and 18893[1] and its Memorandum Opinion and Order in Dockets 19554 and 18893[2] together with a decision of the United States Court of Appeals for the District of Columbia Circuit in Home Box Office v. Federal Communications Commission, No. 75-1280 et al., (decided March 25, 1977), certiorari denied, 46 L.W. 3216 (October 3, 1977).

2. In the First Report and Order we adopted rules regulating the types of feature films and sports events that could be cablecast on cable television systems for an extra per-program or per-channel charge. We also proscribed commercial advertising on pay cable channels and limited the percentage of total cablecast programming hours to be given over to feature films and sports events to ninety percent. In Home Box Office, the Court held that the Commission had failed to establish its jurisdiction to regulate pay cable programming on the record evidence before it.[3] The Commission acceded to the court's ruling as applied to the feature film rules, but sought Supreme Court review of the ruling insofar as it would vacate the rules on sports events, advertising and the maximum percentage of cablecast hours of feature films and sporting events.

3. The United States Supreme Court's denial of a writ of certiorari requires that we delete the subscription cablecasting rules in their entirety from the Commission's rules and regulations, and we accordingly shall do so. Because the action taken herein is purely ministerial, conforming the written rules to the court's mandate, consistent with the Communications Act, 47 U.S.C. 402(h), no formal rulemaking action is required.

Accordingly, it is ordered, that effective January 24, 1978, Part 76 of the Commission's Rules and Regulations is amended as set forth below.

(Secs. 4, 303, 48 Stat., as amended, 1066, 1082; 47 U.S.C. 154, 303.)

FEDERAL COMMUNICATIONS COMMISSION,
WILLIAM J. TRICARICO,
Secretary.

Part 76 of Chapter I of Title 47 of the Code of Federal Regulations is amended as follows:

§ 76.225 [Removed]

1. Section 76.225 is removed.

[FR Doc.77-36672 Filed 12-22-77;8:45 am]

[1] FCC 75-369, 52 FCC 2d 1 (1975).
[2] FCC 75-926, 54 FCC 2d 797 (1975).
[3] Slip op. at 48.

[7035-01]

Title 49—Transportation

CHAPTER X—INTERSTATE COMMERCE COMMISSION

SUBCHAPTER A—GENERAL RULES AND REGULATIONS

[Ex Parte No. 55 (Sub-No. 25)]

PART 1003—LIST OF FORMS

PART 1100—RULES OF PRACTICE

Revision of Application Procedures

AGENCY: Interstate Commerce Commission.

ACTION: Notice of correction of final rules.

SUMMARY: By Notice published in the FEDERAL REGISTER, 42 FR 62486 (1977), the Interstate Commerce Commission promulgated final rules revising application forms for permanent motor carrier, broker, water carrier, and freight forwarder authority. The notice purports in part, to revise part V(d)(2) of Form OP-OR-9 by including certain additional requirements. The affected part, however, was miscited and should be corrected to read part V(d)(3). In all other respects, including the substance of the requirements added to that part, the notice adopting final rules is correct.

EFFECTIVE DATE: April 1, 1978.

FOR FURTHER INFORMATION CONTACT:

Michael Erenberg, Assistant Deputy Director, Office of Proceedings, Interstate Commerce Commission, Washington, D.C. 20423, phone 202-275-7292.

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-36691 Filed 12-22-77;8:45 am]

[7035-01]

[Docket No. 36758]

SUBCHAPTER B—PRACTICE AND PROCEDURE

PART 1131—TEMPORARY AUTHORITY APPLICATIONS UNDER SECTION 210a (a) OF THE INTERSTATE COMMERCE ACT

SUBCHAPTER D—TARIFFS AND SCHEDULES

PART 1310—FREIGHT RATE TARIFFS AND CLASSIFICATIONS OF MOTOR COMMON CARRIERS

Expiration Dates—Emergency Temporary Authority Tariffs

AGENCY: Interstate Commerce Commission.

ACTION: Amend existing rules.

SUMMARY: This document amends the rules to authorize the showing of expiration dates of 120 days on tariffs and schedules containing rates covering movements under emergency temporary authority. This expiration date will be shown when the carrier certifies that it will file, within 15 days, a temporary authority application and requests two 30-day extensions of the emergency temporary authority. Now, these tariffs and schedules are required to show 45-day expiration dates under these circumstances, which necessitates the filing of an additional supplement to extend the tariff or schedule for an additional 45 days. The changes proposed will eliminate the filing of the additional supplement.

EFFECTIVE DATE: December 30, 1977.

FOR FURTHER INFORMATION CONTACT:

William P. Geisenkotter, Chief, Section of Tariffs, Bureau of Traffic Interstate Commerce Commission, Washington, D.C. 20423, 202-275-7739.

SUPPLEMENTARY INFORMATION: Section 1310.28(l) of Title 49 of the Code of Federal Regulations authorizes the filing of a "W" tariff containing rates and other provisions covering emergency temporary authority, as well as the filing of a supplement to extend the expiration date of a "W" tariff. The "W" tariff may not become effective prior to the day it is filed with the appropriate field office of this Commission or prior to the day it is posted for public inspection where required. The tariff must bear an expiration date of not later than 45 days after its effective date.

Paragraph numbered "2" in the "Note" at the end of § 1131.2 provides that if the carrier certifies on the application for emergency temporary authority that it will file within 15 days a corresponding application for temporary authority for 180 days and requests two 30-day extensions of the initial emergency temporary authority, the timely filing of the application for temporary authority serves to automatically extend the emergency temporary authority for two 30-day periods. A supplement to the "W" tariff providing for a 45-day extension of the expiration date of the tariff is required to accompany the application for temporary authority.

If a "W" tariff filed under the above circumstances would show an expiration date of 120 days in the first instance instead of 45 days, the two automatic extensions and the time lag between filing of the tariff and actual date of action on the emergency temporary authority application would be taken into account. Therefore the filing of a supplement to extend the expiration date would be unnecessary. The elimination of this supplemental filing is in the public interest and therefore amendment of the requirements is warranted. Notice of proposed rulemaking under the Administrative Procedure Act (5 U.S.C. 553) is unnecessary since the proposed amendment will relax existing regulations.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

49 CFR Parts 1131 and 1310 are amended as follows:

§ 1131.2 [Amended]

1. In § 1131.2, the third and fourth paragraphs commencing with "In order to maintain" and "Thus, it is contemplated," respectively, are deleted from "A" under "2" in the "Note" at the end of this section.

2. In § 1310.28, paragraphs (i) (2) and (i) (4) are amended to read as follows:

§ 1310.28 Provisions which may be filed on less than 30 days' notice (rule 28).

* * * * *

(i) *Tariffs covering emergency transportation operating authority.*

* * * * *

(2) A supplement may be issued to a tariff filed under this paragraph only for the purpose of changing the expiration date of the tariff to the date with which the emergency temporary authority, or an extension thereof, expires. Such a supplement shall be subject to the posting and filing requirements provided for tariffs in subparagfaph (1) of this paragraph.

* * * * *

(4) If the carrier certifies on the emergency temporary authority application that within 15 days of the date of filing that application a corresponding application will be filed seeking temporary authority for 180 days and requests in the emergency application two 30-day extensions of the emergency temporary authority, the tariff shall show on the title page a specific expiration date of 120 days after the effective date of the tariff. If the carrier does not provide the certification or request two 30-day extensions, the tariff shall show a specific expiration date of not later than 45 days from the effective date fo the tariff. If a 120-day expiration date is inadvertently shown or if it is shown and the carrier does not timely file its 180-day temporary authority application as it certified it would, a supplement shall be filed changing the expiration date to the date the emergency temporary authority is indicated to expire.

* * * * *

These amendments shall become effective December 30, 1977.

(Secs. 204, 217, 49 Stat. 546, as amended, 560, as amended, sec. 210a, as amended, 52 Stat. 1238, as amended; (49 U.S.C. 304, 317, 310a).)

A copy of this order shall be posted in the Office of the Secretary, Interstate Commerce Commission, Washington, D.C., for public inspection and another copy shall be delivered to the Director, Office of the Federal Register, for publication in the FEDERAL REGISTER as notice to all interested persons.

Decided: December 12, 1977.

By the Commission, Tariff Rules Board, Members Foley, Walker, and Geisenkotter. (Member Geisenkotter not participating.)

H. G. HOMME, Jr.,
Acting Secretary.

[FR Doc.77-36587 Filed 12-22-77;8:45 am]

[7035-01]

SUBCHAPTER C—ACCOUNTS, RECORDS AND REPORTS

[No. 36766]

ACCOUNTING FOR CHARITABLE CONTRIBUTIONS

Miscellaneous Changes To Regulations

AGENCY: Interstate Commerce Commission.

ACTION: Rulemaking.

SUMMARY: The Interstate Commerce Commission has clarified existing rules concerning accounting for charitable contributions. The Commission has determined that this Order will eliminate confusion that may have been caused by existing rules.

EFFECTIVE DATE: January 1, 1977.

FOR FURTHER INFORMATION CONTACT:

Mr. Ronald Young, Chief, Section of Accounting, Bureau of Accounts, Interstate Commerce Commission, Washington, D.C. 20423, phone 202-275-7448.

SUPPLEMENTARY INFORMATION: The Interstate Commerce Commission has had regulations covering accounting for charitable contributions for many years. However, a comparison of all accounting systems prescribed by the Commission reveals inconsistencies from one system to the next. The purpose of this rulemaking is to eliminate those inconsistencies by establishing a single rule that will apply to all accounting systems.

Because the proposed changes will only align the Commission's accounting systems with one another and no action on the part of any carrier is necessary, the revisions are not considered burdensome or controversial. Therefore, a rulemaking proceeding in accordance with Sections 553 and 559 of the Administrative Procedure Act (5 U.S.C. 553) is not necessary.

Issued at Washington, D.C., December 12, 1977.

H. G. HOMME, Jr.,
Acting Secretary.

PART 1201—RAILROAD COMPANIES

Subpart A—Uniform System of Accounts for Railroad Companies

NOTE.—These amendments apply to Subpart A which is effective until December 31, 1977.

RAILWAY OPERATING EXPENSE ACCOUNTS

Account 460, "Other expenses," is amended by adding the following at the end of the list of "Items of Expense":

460 Other Expenses.

* * * * *

Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business or welfare of its employees. (See Account 551, Miscellaneous Income Charges.)

INCOME ACCOUNTS

Account 551, "Miscellaneous Income Charges," paragraph (a), is amended by adding the following just before the beginning of paragraph (6):

551 Miscellaneous Income Charges.

* * * * *

Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 460, Other Expenses.)

(b) * * *

APPENDIX B

Subpart A—Uniform Systems of Accounts for Railroad Companies

NOTE.—These amendments apply to Subpart A which is effective January 1, 1978.

INCOME ACCOUNTS

Account 551, "Miscellaneous Income Charges," paragraph (a), is amended by adding the following just before the beginning of paragraph (b), and also add a new paragraph (c) to Account 551:

551 Miscellaneous Income Charges.

(a) * * *

Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees.

(b) * * *

(c) Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees should be charged to account 61-61-99, Other Expenses—General and Administrative—Other.

APPENDIX C

PART 1202—UNIFORM SYSTEM OF ACCOUNTS FOR ELECTRIC RAILWAYS

OPERATING EXPENSE ACCOUNTS

Account 89, "Miscellaneous general expenses," is revised to read as follows:

89 Miscellaneous general expenses.

This account shall include miscellaneous expenses connected with the general management not provided for otherwise, such as cost of "safety first" or "prevention of accidents" campaigns, fees and expenses paid to directors and trustees, dues and fees for railway associations, cost of free entertainment for employees, fees for filing annual state reports; and also gratuities, subscriptions, and donations, not provided for in account 80, "Advertising," 87, "Relief department expenses," and 88, "Pensions and gratuities." Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 225, Miscellaneous debits.)

INCOME ACCOUNTS

Account 225, "Miscellaneous debits," is amended by adding the following to the end of that section:

225 Miscellaneous debits.

* * * * *

Payment of old accounts * * *

Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 89, Miscellaneous general expenses.)

APPENDIX D

PART 1205—UNIFORM SYSTEM OF ACCOUNTS FOR REFRIGERATOR CAR LINES

OPERATING REVENUE ACCOUNTS TEXTS

Account 469, "Other expenses," is revised to read as follows:

469 Other expenses.

This account shall include all expenses in connection with the general administrative functions of the company not provided for elsewhere.

LIST OF EXPENSES

Annual audits or investigations.
Annual reports.
Association membership.
Bank charges for services.
Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 551, Miscellaneous income charges.)
Corporate and fiscal notices of general character.
Electing directors.
Exchange, domestic, on checks cashed or deposited.
Exchange on domestic drafts.
Fees and expenses paid directors.
Loss by burglary of funds, defalcations or fire when not recoverable from insurance.
Loss from acceptance of counterfeit money.
Notice of dividends declared.
Premiums, less cash surrender value of insurance, on lives of officers when company is the beneficiary.
Stockholders' meeting.

INCOME ACCOUNTS TEXTS

ORDINARY ITEMS

DEBITS

Account 551, "Miscellaneous income charges," is amended by adding the following to the end of that section:

551 Miscellaneous income charges.

* * * * *

Loss from company bonds * * *

Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 469, Other Expenses.)

APPENDIX E

PART 1206—UNIFORM SYSTEM OF ACCOUNTS FOR COMMON AND CONTRACT MOTOR CARRIERS OF PASSENGERS

INCOME ACCOUNTS (ORDINARY ITEMS)

OPERATING REVENUES

OPERATION AND MAINTENANCE EXPENSES

Account 4656, "Other general expenses," is amended by revising paragraph (b) as follows:

4656 Other general expenses.

(a) * * *

(b) This account shall also include contributions for charitable, social, or community welfare purposes which have a direct relation to the protection of carrier property, development of its business, or welfare of its employees. (See account 7500, Other deductions.)

* * * * *

Income Deductions

Account 7500, "Other deductions," is amended by revising paragraph (e) as follows:

7500 Other deductions.

* * * * *

(e) Contributions for charitable, social, or community welfare purposes which do not have a direct relation to the protection of carrier property, development of its business, or welfare of its employees. (See account 4656, Other general expenses.)

* * * * *

APPENDIX F

PART 1207—UNIFORM SYSTEM OF ACCOUNTS FOR CLASS I AND CLASS II COMMON AND CONTRACT MOTOR CARRIERS OF PROPERTY

CLASS I AND CLASS II MOTOR CARRIER OPERATING EXPENSE ACCOUNT EXPLANATIONS

INSTRUCTION 27 AND 28A CARRIERS

Account 4690 is amended in the list of "items (See Instruction 6)" by revising the entry which now reads "contributions for charitable, social, or community welfare purposes" to read as follows:

4690 Other General Supplies and Expenses.

* * * * *

Cash bail forfeited * * *

Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 8400/9400, Other Nonoperating Income.)

* * * * *

CLASS I AND CLASS II CARRIERS OF HOUSEHOLD GOODS (INSTRUCTION 28B CARRIERS) ACCOUNT EXPLANATIONS

OPERATING EXPENSES

Account 7990 is amended in the list of "Items (See Instruction 6)" by revising the entry which appears immediately after the entry which starts with "Cash bail forfeited by a driver * * *" to read as follows:

7990 Miscellaneous Corporate Expenses.

* * * * *

Cash bail forfeited * * *

Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business or welfare of its employees. (See Account 8400/9400, Other Nonoperating Income.)

* * * * *

CLASS I AND CLASS II MOTOR CARRIERS

OTHER INCOME AND EXPENSE ACCOUNT EXPLANATIONS

Account 8400/9400, "Other Nonoperating Income," is amended by revising paragraph (c) (5):

8400/9400 Other Nonoperating Income.

* * * * *

(c) * * *

(5) Contributions for charitable, social, or community welfare purposes that do not have a direct relationship to the protection of company property, development of its business, or the welfare of its employees. (See Account 4690, 7990—Other General Supplies and Expenses.)

* * * * *

APPENDIX G

PART 1208—UNIFORM SYSTEM OF ACCOUNTS FOR MARITIME CARRIERS

OPERATING EXPENSES

ADMINISTRATIVE AND GENERAL EXPENSE ACCOUNT

Account 926, "Donations and contributions," is revised.

926 Contributions.

Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 990, Miscellaneous expense.)

Account 990, "Miscellaneous expenses," is revised.

990 Miscellaneous expense.

Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 926, Contributions.)

APPENDIX H

PART 1209—UNIFORM SYSTEM OF ACCOUNTS FOR INLAND AND COASTAL WATERWAYS CARRIERS

INCOME ACCOUNTS

OPERATING EXPENSES

Account 467, "Other Expenses," is amended by revising the entry which now reads "Contributions" as follows:

467 Other expenses.

* * * * *

Bank charges for * * *

Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 527, Miscellaneous income charges.)

OTHER INCOME

DEBIT ACCOUNTS

Account 527, "Miscellaneous income charges," is amended by adding the following to the list of "Items of Expense":

527 Miscellaneous income charges.

* * * * *

15. Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 467, Other expenses.)

APPENDIX I

PART 1210—UNIFORM SYSTEM OF ACCOUNTS FOR FREIGHT FORWARDERS

INCOME ACCOUNTS

ORDINARY ITEMS

DEBIT

Account 414 is amended in the list of "Items," by revising the entry which now begins with "Contributions for Charitable or social or Community * * *" in its entirety as follows:

414 Miscellaneous income charges.

* * * * *

Book cost * * *

Contributions for charitable, social, or community welfare purposes that do not have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 630, Other expenses.)

* * * * *

OPERATING REVENUE ACCOUNTS

OPERATING EXPENSE ACCOUNTS

Account 630 is amended in the list of "Items of Expense" by revising the entry which begins with "Contributions for charitable or social * * *" in its entirety as follows:

630 Other expenses.

* * * * *

Bank charges for * * *

Contributions for charitable, social, or community welfare purposes that have a direct relation to the protection of company property, development of its business, or welfare of its employees. (See Account 414, Miscellaneous income charges.)

* * * * *

[FR Doc.77-36457 Filed 12-22-77;8:45 am]

[7035-01]

[Amendment to Special Permission No. M-60160 (Revised August 7, 1972)]

PART 1306—PASSENGER AND EXPRESS TARIFFS AND SCHEDULES OF MOTOR CARRIERS

PART 1307—FREIGHT RATE TARIFFS, SCHEDULES, AND CLASSIFICATIONS OF MOTOR CARRIERS

Tariffs of Motor Common Carriers Emergency Transportation of Property or Passengers, or Both

AGENCY: Interstate Commerce Commission.

ACTION: Amend existing rules.

SUMMARY: This document amends the rules to authorize the showing of expiration dates of 120 days on tariffs and schedules containing rates covering movements under emergency temporary authority. This expiration date will be shown when the carrier certifies that it will file, within 15 days, a temporary authority application and requests two 30-day extensions of the emergency temporary authority. Now, these tariffs and schedules are required to show 45-day expiration dates under these circumstances, which necessitates the filing of an additional supplement to extend the tariff or schedule for an additional 45 days. The changes proposed will eliminate the filing of the additional supplement.

EFFECTIVE DATE: December 30, 1977.

FOR FURTHER INFORMATION CONTACT:

William P. Geisenkotter, Chief, Section of Tariffs, Bureau of Traffic, Interstate Commerce Commission, Washington, D.C. 20423, 202-275-7739.

SUPPLEMENTARY INFORMATION: Sections 1306.100 and 1307.100 of Title 49 of the Code of Federal Regulations authorize the filing of a "W" tariff containing rates and other provisions covering emergency temporary authority, as well the filing of a supplement to extend the expiration date of a "W" tariff. The "W" tariff may not become effective prior to the day it is filed with the appropriate field office of this Commission or prior to the day it is posted for public inspection where required. The tariff must bear an expiration date of not later than 45 days after its effective date.

Paragraph numbered "2" in the "Note" at the end of § 1131.2 provides that if the carrier certifies on the application for emergency temporary authority that it will file within 15 days a corresponding application for temporary authority for 180 days and requests two 30-day extensions of the initial emergency temporary authority, the timely filing of the application for temporary authority serves to automatically extend the emergency temporary authority for two 30-day periods. A supplement to the "W" tariff providing for a 45-day extension of the expiration date of the tariff is required to accompany the application for temporary authority.

If a "W" tariff filed under the above circumstances would show an expiration date of 120 days in the first instance instead of 45 days, the two automatic extensions and the time lag between filing of the tariff and actual date of action on the emergency temporary authority application would be taken into account. Therefore, the filing of a supplement to extend the expiration date would be unnecessary. The elimination of this supplemental filing is in the public interest and therefore amendment of the requirements is warranted. Notice of proposed rulemaking under the Administrative Procedure Act (5 U.S.C. 553) is unnecessary since the proposed amendment will relax existing regulations.

This is not a major Federal action significantly affecting the quality of the human environment within the meaning of the National Environmental Policy Act of 1969.

It is ordered: 49 CFR Parts 1306 and 1307 are amended as follows:

In § 1306.100, paragraphs (b)(2) and (c)(3) are amended to read as follows:

§ 130.100 Motor common carriers of property or passengers: Establishment of rates, fares, and other provisions covering emergency transportation of property or passengers, or both.

* * * * *

(b) *General provisions.* * * *

(2) A supplement may be issued to a tariff filed under this section only for the purpose of changing the expiration date of the tariff to the date with which the emergency temporary authority, or an extension thereof, expires. Such a supplement shall be subject to the posting and filing requirements provided for tariffs in paragraph (b)(1) of this section.

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(c) *Limitations.* * * *

(3) If the carrier certifies on the emergency temporary authority application that within 15 days of the date of filing that application, a corresponding application will be filed seeking tem-