Administration published a Notice of Proposed rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to alter the transition area at Great Bend, Kansas.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., January 31, 1974.

(Section 307(a) of the Federal Aviation Act of 1958 (49 U.S.C. 1348), and of section 6(c) of the Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Kansas City, Mo., on October 30, 1973.

JOHN R. WALLS,
Acting Director, Central Region.

In § 71.181 (38 FR 435), the following transition area is amended to read:

GREAT BEND, KANSAS

That airspace extending upward from 700 feet above the surface within a 7-mile radius of the Great Bend Municipal Airport (latitude 38°20'50" N, longitude 98°51'47" W) and within 2 miles each side of the 301° bearing from the Great Bend Municipal Airport, extending from the 7-mile radius area to 10 miles NW of the airport; and that airspace extending upwards from 1,200 feet above the surface within 5 miles NE and 9.5 miles SW of the 301° bearing from the airport extending from 6.5 miles SE to 18.5 miles NW of the airport.

[FR Doc.73-24940 Filed 11-23-73;8:45 am]

[Airspace Docket No. 73-CE-23]

PART 71—DESIGNATION OF FEDERAL AIRWAYS, AREA LOW ROUTES, CONTROLLED AIRSPACE, AND REPORTING POINTS

Designation of Transition Area

On page 22492 of the FEDERAL REGISTER dated August 21, 1973, the Federal Aviation Administration published a notice of proposed rulemaking which would amend § 71.181 of Part 71 of the Federal Aviation Regulations so as to designate a transition area at Aurora, Nebraska.

Interested persons were given 30 days to submit written comments, suggestions or objections regarding the proposed amendment.

No objections have been received and the proposed amendment is hereby adopted without change and is set forth below.

This amendment shall be effective 0901 G.m.t., January 31, 1974.

(Sec. 307(a), Federal Aviation Act of 1958 (49 U.S.C. 1348); sec. 6(c), Department of Transportation Act (49 U.S.C. 1655(c)).)

Issued in Kansas City, Mo., on October 30, 1973.

JOHN R. WALLS,
Acting Director, Central Region.

In § 71.181 (38 FR 435), the following transition area is added:

AURORA, NEBRASKA

That airspace extending upward from 700 feet above the surface within a 5-mile radius of Aurora Municipal Airport (latitude 40°53'34" N, longitude 97°59'37" W.); and within two miles each side of the 123° radial of the Grand Island VOR, extending from the 5-mile radius to seven miles west of the airport, excluding that portion which overlies the Grand Island, Nebraska transition area.

[FR Doc.73-24941 Filed 11-23-73;8:45 am]

CHAPTER II—CIVIL AERONAUTICS BOARD

SUBCHAPTER A—ECONOMIC REGULATIONS

[Reg. ER-833, Amdt. 20]

PART 298—CLASSIFICATION AND EXEMPTION OF AIR TAXI OPERATORS

Filing of Joint Tariffs for Through Services With Foreign Air Carriers

Adopted by the Civil Aeronautics Board at its office in Washington, D.C., November 19, 1973.

On July 2, 1968, the Board adopted ER-542, amending § 298.11 of Part 298 of the Economic Regulations (14 CFR Part 298) so as to enable air taxi operators, which are otherwise exempt from the Act's tariff filing requirements, to file such joint tariffs as they may have with "certificated" air carriers. Since the term "certificated" air carriers denotes only U.S. air carriers, which operate under section 401 certificates, and does not include foreign air carriers, which operate under section 402 permits, the literal terms of § 298.11, as amended, do not enable joint tariffs of air taxis and foreign air carriers to be filed.

A review of the rulemaking proceeding which culminated in the Board's adoption of ER-542 discloses no reason to differentiate between tariffs made jointly by air taxis with certificated air carriers and those made jointly by air taxis with foreign carriers operating under permit. Indeed, it appears that the Board's sole reason for specifying "certificated" air carriers, in describing the joint tariffs which could be filed, was to exclude any tariffs made jointly between or among air taxi operators exclusively—all of which are exempt from the legal requirement to file tariffs—rather than to exclude foreign air carriers operating under permit authority. In short, it appears that, while ER-542 was intended to permit the filing of tariffs jointly made between an air taxi operator and any air carrier whose tariff is statutorily required to be filed, whether U.S. or foreign, the word of limitation used, "certificated", inadvertently excludes foreign air carriers.

The within amendment thus furthers the underlying purpose of ER-542 by extending the application of the tariff filing provisions under § 298.11 to joint tariffs of air taxis with foreign carriers as well as U.S. carriers. Since the within rule is interpretative in nature and imposes no burden on any one, the Board finds that notice and public procedure hereon are unnecessary and the rule may be made effective immediately.

In consideration of the foregoing, the Board hereby amends Part 298 (14 CFR Part 298), effective November 19, 1973, by revising paragraphs (b), (c), and (d) of § 298.11 to read as follows:

§ 298.11 Exemption authority.

* * * * *

(b) Section 403, except that the requirements of that section shall apply to: (1) Tariffs for through rates, fares, and charges filed jointly by air taxi operators with certificated air carriers or with foreign air carriers having section 402 permits, which are subject to the tariff-filing requirements of section 403 of the Act; and (2) tariffs which embody the terms of the Interim Agreement (CAB 18900), approved by Board Order E-23680, May 13, 1966, and any amendment or amendments to such agreement which may be approved by the Board and to which the air taxi operator becomes a party, filed by air taxi operators subject to Subpart G of this part. With respect to subparagraph (1) of this paragraph, Part 221 (other than § 221.176) of the Board's economic regulations of this chapter (14 CFR Part 221) shall be applicable; with respect to this subparagraph (2), Part 221 of this chapter (other than § 221.176) of the Board's economic regulations shall be applicable, except to the extent that such regulations are inconsistent with the requirements herein;

(c) Subsection 404(a), except the requirements that air taxi operators shall provide safe service, equipment, and facilities in connection with air transportation; shall observe and enforce just and reasonable joint rates, fares, and charges, and just and reasonable classifications, rules, regulations, and practices as provided in tariffs filed jointly by air taxi operators with certificated air carriers or with foreign air carriers having section 402 permits, which are subject to the tariff-filing requirements of section 403 of the Act; and shall establish just, reasonable, and equitable divisions of such joint rates, fares, and charges as between air carriers participating therein which shall not unduly prefer or prejudice any of such participating air carriers;

(d) Subsection 404(b), except that the requirements of that subsection shall apply to through service provided pursuant to tariffs filed jointly by air taxi operators with certificated air carriers or with foreign air carriers having section 402 permits, which are subject to the tariff-filing requirements of section 403 of the Act;

* * * * *

(Secs. 204, 416, Federal Aviation Act of 1958, as amended; 72 Stat. 743, 771; (49 U.S.C. 1324, 1386).)

[SEAL] EDWIN Z. HOLLAND,
Secretary.

[FR Doc.73-24988 Filed 11-23-73;8:45 am]

Title 16—Commercial Practices

CHAPTER I—FEDERAL TRADE COMMISSION

SUBCHAPTER A—PROCEDURES AND RULES OF PRACTICE

PART 1—GENERAL PROCEDURES

Subpart H—Administration of the Fair Credit Reporting Act

CHANGE IN TITLE OF DIVISION

The Commission announces the following amendments in Part 1 of Chapter I of Title 16 of the Code of Federal Regulations:

Sections 1.71 and 1.72 are amended by changing the title of the Division of Consumer Credit and Special Programs to the Division of Special Statutes.

(84 Stat. 1128, 15 U.S.C. 1681 et seq.)

By direction of the Commission dated July 10, 1973.

[SEAL] CHARLES A. TOBIN, *Secretary.*

[FR Doc.73-24964 Filed 11-23-73;8:45 am]

[Docket No. 8884-0]

PART 13—PROHIBITED TRADE PRACTICES

Chock Full O'Nuts Corp. Inc.

Correction

In FR Doc. 73-22547 appearing at page 29317 in the issue for Wednesday, October 24, 1973, make the following changes:

1. The headings should read as set forth above.

2. In the seventh line in the first paragraph of the first column, an asterisk should appear immediately following "licenses, etc.".

3. Below the last line of the first column, a footnote should read:

[Docket No. C-2452]

PART 13—PROHIBITED TRADE PRACTICES

Hammond Begun Trading as Freight Liquidators

Correction

In FR Doc. 73-21970 appearing at page 28652 in the issue for Tuesday, October 16, 1973, in lines 12 and 34 of the first paragraph, the word "Bail" should read "Bait".

Title 17—Commodity and Securities Exchanges

CHAPTER I—COMMODITY EXCHANGE AUTHORITY (INCLUDING COMMODITY EXCHANGE COMMISSION), DEPARTMENT OF AGRICULTURE

PART 0—RULES OF PRACTICE

Subpart A—Rules Applicable to Proceedings Before the Secretary of Agriculture

MISCELLANEOUS AMENDMENTS

Pursuant to the authority vested in the Secretary of Agriculture under the Commodity Exchange Act, as amended (7 U.S.C. Chapter 1), the rules of practice applicable to proceedings before the Secretary of Agriculture are hereby amended as set forth below. The purpose of the proposed amendments is to incorporate into the rules of practice under the Commodity Exchange Act a procedure for hearings as to persons' fitness to be registered under the Act; and to conform the language of § 0.3(c) to that of section 6(b) of the Commodity Exchange Act (7 U.S.C. 9) by making it clear that the institution of a proceeding is at the discretion of the Secretary of Agriculture.

1. Section 0.2 is amended by revising paragraph (h) to read as follows:

§ 0.2 Definitions.

* * * * *

(h) The term "complainant" means the party by whom the proceeding is instituted.

* * * * *

2. Section 0.3 is amended by revising paragraphs (a) and (c) to read as follows:

§ 0.3 Institution of proceedings.

(a) *Application to institute proceedings.* Any interested person having any information of any violation of the act, or of any of the regulations promulgated thereunder, by any person (other than a contract market), or of any cause under section 8a(2) (B) or (C) or (3) of the act which would warrant a refusal, suspension or revocation of registration of any person, may file with the Act Administrator an application requesting the institution of such proceeding as is authorized under the act. Such application shall be in writing, signed by or on behalf of the applicant, and shall include a short and simple statement of the facts constituting the alleged violation or cause and the name and address of the applicant and the name and address of the person against whom the applicant complains.

* * * * *

(c) *Who may institute.* If, after investigation of the matters complained of in the application described in paragraph (a) of this section, or after investigation made on his own motion, or after request for a hearing by an applicant for registration under the provisions of section 8a (2) (B) or (C) of the act, the Secretary has reason to believe that any person (other than a contract market) is manipulating or attempting to manipulate or has manipulated or attempted to manipulate the market price of any commodity, in interstate commerce, or for future delivery on or subject to the rules of any contract market, or has wilfully made any false or misleading statement of a material fact in any registration application or any report filed with the Secretary of Agriculture under the act, or wilfully omitted to state in any such application or report any material fact which is requested to be stated therein, or otherwise is violating or has violated any of the provisions of the act or of the rules, regulations, or orders of the Secretary of Agriculture or the Commodity Exchange Commission thereunder, or has reason to believe that cause exists under section 8a(2) (B) or (C) or (3) which would warrant a refusal, suspension or revocation of registration of any person, he may institute a proceeding: *Provided,* That in any case, except one of wilfulness or one in which the public health, interest or safety otherwise requires, prior to the institution of a proceeding for the suspension or revocation of a registration or license, facts or conditions which may warrant such action shall be called, in writing, to the attention of the person complained against, and such person shall be accorded opportunity to demonstrate or achieve compliance with all lawful requirements. Proceedings for refusal of registration under section 8a(2) (B) or (C) of the act will be instituted only upon notices of such proceedings issued by the Secretary, and other proceedings will be instituted only upon complaints issued by the Secretary; proceedings will not be instituted upon pleadings filed by private persons.

3. Section 0.4 is amended by revising paragraph (b) to read as follows:

§ 0.4 Stipulations and consent orders.

* * * * *

(b) *Consent order.* At any time after the issuance of the complaint or notice of proceeding and prior to the hearing in any proceeding, the Secretary in his discretion, may allow the respondent or applicant for registration to consent to an order. In so consenting, the respondent or applicant for registration must submit, for filing in the record, a stipulation or statement in which he admits at least those facts necessary to the Secretary's jurisdiction and agrees that an order may be entered against him. Upon a record composed of the complaint or notice of proceeding and the stipulation or agreement consenting to the order, the judge may enter the order consented to by the respondent or applicant for registration, which shall have the same force and effect as an order made after oral hearing.

4. Section 0.5 is revised to read as follows:

§ 0.5 Complaints and notices of proceedings.

(a) *Filing and service.* All complaints and notices of proceedings shall be filed with the hearing clerk. In any proceeding for refusal of registration under section 8a(2) (B) or (C) of the act, the application for registration involved, and all documents in connection therewith which have been filed by the applicant for such registration up to the date of issuance of the notice of such proceeding, shall likewise be filed with the hearing clerk, in triplicate, and shall become a part of the record in such proceeding. The provisions of § 0.22 shall govern the filing, number of copies, and service of complaints and notices of proceedings.

(b) *Contents.* A complaint or notice of proceeding shall state briefly and clearly the allegations of fact which constitute a basis for the proceeding and

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*New.