TRACTOR TRAINING SERVICE ET AL.

Docket 5943. Order, Jan. 19, 1961

Order denying, for lack of material changes of fact or law, petition for modification of desist order of Mar. 3, 1954, 50 F.T.C. 762.

Respondents, Tractor Training Service, Inc., an Illinois corporation, and Tractor Training Service, an Oregon corporation, by petition filed on November 21, 1960, having requested the Commission to modify the order to cease and desist heretofore entered in disposition of this proceeding, by deleting paragraph 5 thereof, which paragraph prohibits the respondents, in connection with the sale in commerce of their course of study and instruction in diesel training and training in heavy equipment, from representing that the individuals to whom such course is sold are selected on any basis other than their ability to make the required down payment; and

It appearing that the ground for the request is that the respondents have developed and now utilize a standard procedure for the selection of prospective purchasers of their course, which is in addition to and ahead of the requirement that the individuals be able to pay for such course; and

It further appearing, however, that the standards and procedures described in the respondents' petition and in their reply to the answer filed by counsel in support of the order are not materially different from the standards and procedures described in a similar petition requesting the same relief which the same respondents filed on March 14, 1957, and which the Commission, for the reasons set forth in its opinion rendered on May 10, 1957, denied by order entered on the same date (53 Federal Trade Commission Decisions 1292); and

The Commission having considered the matter anew and having concluded that the current petition, like the previous petition, and for the same reasons, fails to establish a reasonable probability that material changes have occurred in conditions of fact or of law since the order to cease and desist was entered or to demonstate a probability that the public interest requires the modification requested:

It is ordered, That said petition be, and it hereby is, denied.