

# proposed rules

This section of the FEDERAL REGISTER contains notices to the public of the proposed issuance of rules and regulations. The purpose of these notices is to give interested persons an opportunity to participate in the rule making prior to the adoption of the final rules.

## DEPARTMENT OF AGRICULTURE

Animal and Plant Health Inspection Service  
[ 9 CFR Parts 1, 2, and 3 ]

### ANIMAL WELFARE

**Proposed Standards and Regulations for Transportation and Handling, Care, and Treatment in Connection Therewith, of Dogs, Cats, Rabbits, Hamsters, Guinea Pigs, Nonhuman Primates, and Certain Other Warmblooded Animals; Extension of Time**

**AGENCY:** Animal and Plant Health Inspection Service, USDA.

**ACTION:** Proposed rulemaking; i.e., extension of comment period.

**SUMMARY:** This notice extends the time period for submitting written comments on the notice published March 18, 1977 (43 FR 15210-15221), proposing new and revised standards and regulations under the Animal Welfare Act concerning the transportation and handling, care, and treatment in connection therewith, of dogs, cats, rabbits, hamsters, guinea pigs, nonhuman primates, and certain other warmblooded animals in commerce. Certain representatives of carriers, breeders, USDA licensed dealers, and other related industries have requested that the comment period be extended in order to give them adequate time to obtain relevant data and information and to develop sound views and comments. This document is to provide an extension of the comment period as requested.

**DATE:** Comments on or before May 9, 1977.

**ADDRESS:** Send comments to: Deputy Administrator, USDA, APHIS, VS, Room 703, Federal Building, 6505 Belcrest Road, Hyattsville, Md. 20782.

**FOR FURTHER INFORMATION CONTACT:**

Dr. Dale F. Schwindaman, Senior Staff Veterinarian, Animal Care Staff, Animal and Plant Health Inspection Service, Veterinary Services, USDA, Room 703, Federal Building, 6505 Belcrest Road, Hyattsville, Md. 20782. (301) 436-8271.

**SUPPLEMENTARY INFORMATION:** Notice was given March 18, 1977 (42 FR 15210-15221), of proposed new and revised standards and regulations under the Animal Welfare Act concerning the transportation and handling, care, and treatment in connection therewith, of dogs, cats, rabbits, hamsters, guinea pigs, nonhuman primates and certain other warmblooded animals in commerce to conform to the Animal Welfare Act

Amendments of 1976 (Pub. L. 94-279) enacted on April 22, 1976.

This proposal provided for receipt of comments on or before April 22, 1977.

In response to this notice, requests were received from representatives of carriers, breeders, USDA licensed dealers, and other related industries for additional time in which to obtain relevant data and information and to develop sound views and comments. Since the Department is interested in receiving meaningful views and comments, these circumstances are considered justification for an extension of the time period originally allotted for submitting views and comments.

Done at Washington, D.C., this 28th day of April 1977.

E. A. SCHILF,  
*Acting Deputy Administrator,  
Veterinary Services.*

[FR Doc.77-12655 Filed 5-2-77; 8:45 am]

## FEDERAL ENERGY ADMINISTRATION

[ 10 CFR Part 212 ]

### RETAIL GASOLINE SALES

**Pass-Through of Service Station Rent Increases**

**AGENCY:** Federal Energy Administration.

**ACTION:** Notice of withdrawal of proposed rent guidelines and notice of proposed rulemaking and public hearing.

**SUMMARY:** The Federal Energy Administration (FEA) hereby withdraws a proposal issued on December 24, 1975, calling for public participation in development of service station rent guidelines to aid FEA in determining what rent increases and rental practices might be construed by FEA as constituting a means to obtain prices higher than those permitted under the price regulations.

FEA also hereby gives notice of a proposal to amend its regulations to permit service station rent increases to be passed through in sales at the retail level, without regard to the three cent-per-gallon maximum currently authorized to reflect non-product cost increases; due to the significant increases in service station rents which have occurred over the approximately 18 months since FEA's service-station rent regulations were revoked.

**DATES:** Comments by Monday, June 20, 1977, 4:30 p.m.; Requests to speak by Wednesday, June 8, 1977, 4:30 p.m.; Hearing will be held Tuesday, June 21, 1977, 9:30 a.m.

**ADDRESSES:** Comments and requests to speak to: Executive Communications,

Room 3317, Federal Energy Administration, Box ME, Washington, D.C. 20461.

Hearing will be held at Room 2105, 2000 M Street NW., Washington, D.C. 20461.

**FOR FURTHER INFORMATION CONTACT:**

Robert C. Gillette (Hearing Procedures), 2000 M Street NW., Room 2214B, Washington, D.C. 20461, 202-254-5201.

Ed Vilade (Media Relations), 12th and Pennsylvania Avenue NW., Room 3104, Washington, D.C. 20461, 202-566-9833.

Chuck Boehl (Program Office), 2000 M Street NW., Room 2304, Washington, D.C. 20461, 202-254-7200.

Richard S. Greene (Office of General Counsel), 12th and Pennsylvania Avenue NW., Room 5138, Washington, D.C. 20461, 202-566-9567.

**SUPPLEMENTARY INFORMATION:** A. Background; B. Rent Guidelines; C. Proposal for Pass-Through of Rent Increases; D. Comment Procedures.

#### A. BACKGROUND

Prior to November 11, 1975, FEA and its predecessor agencies regulated gasoline service station rents in conjunction with gasoline prices to the retail dealer. Applicable regulations generally provided that gasoline service station rents were frozen at the "base rent" level (the rent charged under contract terms prevailing on May 15, 1973). Often those contract terms stated a base rent in terms of a cent-per-gallon rate (e.g., two cents per gallon of gasoline sold), and in such cases it was this rate which was frozen under applicable regulations rather than an absolute dollar rental amount.

This system of conjunctive rent control was begun by the Cost of Living Council on August 19, 1973, and, pursuant to the Council's broad authority under the Economic Stabilization Act of 1971, applied initially to all leased real property used in the retailing of gasoline. When the Economic Stabilization Act expired on April 30, 1974, the Federal Energy Office, as successor to the Council, narrowed the scope of these regulations to conform with the price control authority surviving under the Emergency Petroleum Allocation Act of 1973 ("EPAA"), so that, beginning May 1, 1974, rent controls applied only in those cases in which both the lessor and lessee of real property were subject to the petroleum price regulations as refiners, resellers, reseller-retailers or retailers of covered products. Although the EPAA did not provide express authority to regulate service station rents, FEO/FEA took the position that, due to the direct