

TELEPHONE HOWARD 1-1
1944
1944

IMPORTANT FEATURES OF S. F. A. W. REGULATION NO. 17 LIMITING DELIVERIES OF ANTHRACITE COAL AND EASTERN COKE

(A complete copy of this Regulation is on file at our office for your inspection)

§ 602.300 What This Regulation Does

This regulation, which applies everywhere in the United States that dealers sell Pennsylvania anthracite, provides for orderly and limited deliveries to substantially all consumers of anthracite, eastern coke and other solid fuels, when used in conjunction with anthracite or eastern coke, so that (1) the dealer will arrange to spread his limited available supply of those solid fuels equitably among consumers and (2) the consumer of those solid fuels will, to the maximum extent that he can, buy and store during the spring and summer sufficient solid fuels to take care of a substantial part of his annual needs. The risk of serious hardship next heating season can be reduced and perhaps eliminated if the consumer advises his dealer now of his requirements for solid fuels and if the dealer makes limited deliveries strictly in accordance with applicable regulations.

Consumers must not inflate, duplicate or pyramid their orders. Each consumer is required before receiving any anthracite or eastern coke to fill out and send to his dealer a short statement containing a few necessary facts such as his annual needs for solid fuels, and the amount of solid fuels he had on hand April 1, 1944. The Consumer Declaration is required only because it is believed by retail dealers generally and by many consumers to be essential to the equitable distribution by dealers of the limited supply of anthracite and eastern coke. Consumers who do not use anthracite or eastern coke are not required to fill out or file the Consumer Declaration under this regulation.

Although the retail dealer is forbidden to discriminate among consumers in making deliveries of anthracite and eastern coke, he is permitted to refuse to deliver such solid fuels to a consumer whose burning equipment reasonably permits the use of another solid fuel, provided that the dealer is ready, willing and able to provide the consumer with the other solid fuel.

This regulation is not applicable to deliveries to consumers who do not use any anthracite or eastern coke but do use any of the other solid fuels, including western coke and bituminous coal.

§ 602.302 Consumer Declaration

(a) During the period April 1, 1944, to March 31, 1945, inclusive, no retail dealer may deliver and no consumer may receive any anthracite or eastern coke, unless at or prior to the time of the first delivery, the consumer shall have filed with the retail dealer from whom he expects to purchase anthracite or eastern coke a statement on a form (referred to herein as a Consumer Declaration) to be reproduced and furnished by the retail dealer, setting forth, among other things, the consumer's estimated annual needs for solid fuels, the consumer's inventory, the number of rooms to be heated and the type of burning equipment. A consumer shall, subject to the provisions of paragraph (b) of this section, be required to file only one such declaration during the period April 1, 1944, to March 31, 1945, inclusive.

(b) A separate Consumer Declaration shall be filed for each building which the consumer expects to heat in whole or in part by the use of anthracite or eastern coke.

(d) No consumer may receive and no retail dealer may deliver any anthracite or eastern coke during the period April 1, 1944, through

March 31, 1945, inclusive, to a consumer if the consumer inflates, duplicates or pyramids his orders, or files a Consumer Declaration with more than one retail dealer unless it has been the consumer's customary practice to have outstanding orders or contracts for the acquisition of anthracite or eastern coke with more than one dealer for a given premises, in which event the consumer shall notify in writing all of the dealers concerned of the details including the total number of tons which he has ordered from each dealer.

§ 602.304 Restrictions Upon Retail Dealer Deliveries and Consumer Receipts of Anthracite, Eastern Coke and Other Solid Fuels When Used in Conjunction With or in Addition to Anthracite or Eastern Coke

(a) During the period April 1, 1944, to October 1, 1944, inclusive, no retail dealer may deliver, and no consumer may receive from all sources combined, anthracite or eastern coke or both, in an amount which when added to (i) the consumer's inventory of anthracite and eastern coke as of April 1, 1944, and (ii) the tonnage of anthracite and eastern coke received by the consumer after April 1, 1944, exceeds 50 per cent of the consumer's annual requirements for solid fuels.

(b) During the period April 1, 1944, to March 31, 1945, inclusive, no retail dealer may deliver and no consumer may receive from all sources combined, anthracite or eastern coke or both in an amount which when added to (i) the consumer's inventory of anthracite and eastern coke as of April 1, 1944, and (ii) the tonnage of anthracite and eastern coke received by the consumer after April 1, 1944, exceeds 87½ per cent of the consumer's annual requirements for solid fuels.

(c) If a consumer uses any other solid fuel in conjunction with or in addition to anthracite or eastern coke, a retail dealer may, subject to other applicable regulations, deliver to the consumer and the consumer may receive during the period April 1, 1944, to March 31, 1945, up to but not more than 100 per cent of the consumer's annual solid fuel requirements, after deducting the consumer's inventory as of April 1, 1944, provided, however, that the deliveries and receipts of anthracite or eastern coke or both do not exceed the limitations upon deliveries and receipts of anthracite or eastern coke or both as set forth in paragraphs (a) and (b) of this section.

§ 602.305 Procedure Governing Deliveries by Retail Dealers of Anthracite, Eastern Coke, and Other Solid Fuels When Used in Lieu of or in Addition to Anthracite or Eastern Coke

(a) No retail dealer shall discriminate in the delivery of anthracite or eastern coke as between consumers who are equally entitled to receive deliveries pursuant to this regulation, provided, however, that a retail dealer shall accord first preference in the delivery of solid fuels to a consumer who has less than a five days' supply of usable solid fuel on hand.

§ 602.312 Violations

Any person who willfully violates any provision of this regulation or who by any act or omission falsifies records kept or information furnished in connection with this regulation is guilty of a crime and upon conviction may be punished by fine or imprisonment, or both.

INSTRUCTIONS

To assist you in filing with us your Consumer Declaration indicating your fuel requirements for the twelve months' period beginning April 1, 1944, we have reproduced on the opposite page the official form which must be completed, signed by you, torn from this page and returned to us.

This Consumer Declaration, as you will note, is a statement made to the Department of the Interior by you, and must be kept in our possession for inspection purposes. Therefore, filing this Consumer Declaration with us does not constitute an order for fuel. On the fourth page hereof is an Order Form which should be filled out and signed by you.

We urge your immediate filing of your Consumer Declaration and Order Form with us.

Please note in the Regulation above that it is unlawful for us to make a delivery to you and that it is unlawful for you to receive a delivery from us, or any other dealer, after April 1st unless you have filed your Consumer Declaration.

The information required to be given by you in the Consumer Declaration is not difficult to determine. However, if you have no records of your requirements or if you should need further assistance we hope you will not hesitate to come to our office or communicate with us by telephone. We are always at your service.