

Mr. MORGAN. That is hard to say. To the extent that any order deprives the public of what it thinks it is getting and knows it is entitled to get, that word might be used. There are only a few cases that I would think of using that word for.

Mr. BENNETT. Well, the public, according to your thesis in these decisions, is losing something, is that not true?

Mr. MORGAN. It is losing some protection.

Mr. BENNETT. The public is losing something that it is entitled to by the decision that you are talking about, is that not true, in your opinion?

Mr. MORGAN. That was my opinion.

Mr. BENNETT. And, therefore, if the decision is contrived by facts or circumstances which are not revealed in the opinion, is that not a fraudulent opinion?

Mr. MORGAN. I have not used that word in describing this—

Mr. BENNETT. You have used the word "fraud" here, pretty profusely, I would say, in one letter.

Mr. MORGAN. I used it in my letter to the President—

Mr. BENNETT. That is what I am talking about.

Mr. MORGAN (continuing). To describe what can happen unless great care is given to this matter of personnel selection; yes, sir, I did.

Mr. BENNETT. What I would like to talk about today is what did happen.

Mr. MORGAN. Well, if you are trying to get me to use a word—

Mr. BENNETT. I am not trying to get you to do anything except to explain what you can about this language. And I am having a difficult time.

Mr. MORGAN. I don't choose to relate that particular language to this particular case. This language, if you will notice—

Mr. BENNETT. All right. Is there a case that you can relate it to?

Mr. MORGAN. No. I have made my dissent—

Mr. BENNETT. If you can't relate it to a case, what are you talking about? Just a hypothetical case that didn't apply to the Federal Power Commission at all?

Mr. MORGAN. I simply said that utility regulation can easily become a fraud upon the public—

Mr. BENNETT. Anybody knows that, Mr. Morgan. I have a 7-year-old granddaughter that knows that. Don't you think the President knows that, too, without your telling him in the letter, in those three single-spaced pages?

Mr. MORGAN. I assume that he does know that.

Mr. BENNETT. You are telling him, as a matter of fact, that he had a bunch of low level, conformist, timid people on the Commissions, outside of yourself, who were there for personal security reasons and who were doing a poor job, isn't that what you were trying to do here?

Mr. MORGAN. No; it was not. The letter speaks for itself.

Mr. BENNETT. I will say it does, although there are a lot of things here that do not meet the eye. You have used a lot of language that you ought to interpret. And we ought to find out for sure whether this is just a lecture you are giving the President about what we ought to do with some other Commission, or what you ought to do with the Federal Power Commission.