

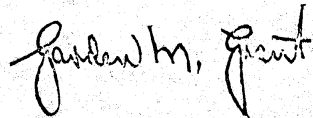
The dissenting opinion raises a question as to the adequacy of our notice and the length of the notice period. The notice procedure in these cases was in nowise inconsistent with the Commission's regular practice in these matters. In each of the present proceedings, a notice was prepared, describing the securities, setting forth the amounts involved, and stating that the proceeds of the proposed issues would be applied to the payment of outstanding notes and the promotion of the Applicant's construction program. These notices were in the form which has been customary in this agency for twenty-seven years. They did not, to be sure, describe the items in the program as set forth in the voluminous applications. The notices recited, however, that any person desiring to be heard or make protest should do so on or before March 21, 1962, and that the applications were on file and available for public inspection. The notices were dated and sent on March 1, 1962, along with copies of the applications, to the State Commissions of Oregon, Wyoming, Washington, California, Montana and Idaho. The notices were also sent to the Governors and Senators of each of those states and were published in the Federal Register on March 8, 1962, 27 FR 2259. The covering letters to the State Commissions invited the attention of the Commissions to our Plan of Cooperative Procedure, asked whether the Commissions desired to engage in such procedure, and, if not, whether they had any comments or suggestions. The letters to the Governors also asked for comments or suggestions.

A notice in the Federal Register could not, as a practical matter, reproduce the full applications and exhibits thereto. As observed above, the notice advised that all of the documents were available for public inspection. In our view, therefore, the notice was adequate.

Nor was the notice period unreasonably short. All persons were on notice as of March 8, 1962. Certainly, thirteen days, i.e., until March 21, 1962, was an adequate period within which to file a protest or to declare a desire to be heard.

Since the security-issue jurisdiction of this Commission does not embrace a certificating authority, it follows that the approval of the issuance of the securities is not tantamount to an approval of the Klamath Falls-Round Mountain line, or any other facility. Our action in this case implies no opinion or conclusion on the questions whether, how or by whom Bonneville power should be transmitted to California.

Commissioner Morgan dissents. Commissioner Woodward did not participate in these proceedings.



Gordon M. Grant
Acting Secretary