

- (b) " -- submit to the Committee for consideration at the next session of the Congress a draft of proposed legislation designed to guarantee to consumers in the Pacific Northwest States first call on power generated by Federal agencies in that region, as requested by the Governors of the Pacific Coast States."

Let us dispense with theoretical discussions of the doctrine of separation of powers and the question whether a single Committee of the Senate has authority to control the policies of an agency such as BPA through Committee resolution: the pragmatic fact is that such a resolution, coming from that particular Committee and backed by every Governor and Senator from the states involved (as well as at least two of the Utility Commissions of the states), is a resolution which the Interior Department regards as binding upon it. In compliance, it has suspended negotiations concerning the sale of BPA power in California and the suspension is in effect now. This means that BPA power is not now available for export to California by the applicant in this case, or by any other private or public agency, and will not be available until the Congress has settled the important issues of public policy involved.

In the midst of this situation, and clearly for the political purpose of influencing that policy decision of the Congress, applicant has asked approval from this Commission for financing (and in an associated proceeding has asked approval for rate filings covering certain interchanges of power), involving a most singular construction project to be built jointly with Pacific Gas and Electric Company. This is to be a transmission line, approximately 110 miles long, from Klamath Falls, Oregon, to Round Mountain, California. It seems probable, though because of the absence of any hearing or record or meaningful investigation it is not certain, that the southern (PG&E) end of the line will not initially be connected to the PG&E Company Pit No. 3 hydro project, thus hopefully avoiding the Commission's preliminary licensing authority, but will be thus connected after construction is completed. The line is planned to include pylons of extra carrying capacity, and 500 kv conductors and insulators. However, it will not initially, if ever, include 500 kv terminal facilities and will be placed in operation at 230 kv. The projected line is situated in such fashion as to constitute an almost mile-for-mile parallel and duplicate of a segment of the EHV line proposed by the Interior Department and now under consideration by the Congress.

This similarity of location and engineering design was highlighted in a news release by the Administrator of BPA on January 17, 1962 4/ in response to inquiries of reporters. The Administrator, in guarded language, noted that applicant's proposed line was "consistent" with engineering recommendations of the Interior Department for its own proposed

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4/ Appendix C attached hereto.