

The doubts concerning the projected construction are serious. They are genuine. They relate to the public interest which the applicant is required by law to serve and we are required by law to protect.

This order should be reconsidered by the Commission for the purpose of determining whether the projected construction is, in fact and in law, compatible with the public interest. If any portion of it is found wanting in this respect, restrictions should be placed upon the use offunds raised by this security issue for advancement of the specific project or projects involved, until such time as full compatibility with the public interest can be, and has been, factually demonstrated.

I repeat that, to the extent we fail to do this, we confront the rate-paying public -- and its elected and appointed representatives at both State and Federal levels -- not merely with our failure to insist upon the necessary information but with our specific and repeated refusal to ask the necessary questions.

Whether such behavior is caused by legal obfuscation, confusion or timidity I am unable to say, but I heartily disagree with and dissent from it.

Howard Morgan, Commissioner