

Mr. SWIDLER. Now, these security issue cases usually are decided by a formal order. They are tied in to the mechanics of issuing securities in the financial markets, and we try to act on them with enough speed so that the companies can take advantage of the underwriting commitments which frequently expire in a matter of hours or days. In this case, because of the transmission-line problem to which I referred in my testimony this morning, Mr. Morgan dissented, and, at the meeting, a statement of that dissent was made a part of the formal order.

There is no statement in the March 28, 1962, order of all of the vigorous pros and cons which had been mooted in the meetings we had held; this case had been discussed on several occasions.

But we simply took the formal order prepared by the staff and issued it in order to enable the company to sell its securities.

But we did attach a short statement of the dissent, and it read as follows:

Commissioner Morgan dissents on the grounds that the period of public notice was unreasonably short, that the notice of application was deficient, and that the construction of one of the facilities to be financed from the proceeds of the securities authorized herein—the Oregon-California intertie as proposed by applicant—has not been shown to be compatible with the public interest, and should not be authorized pending policy decisions relative to such an intertie scheduled by the current session of the Congress. A Commission opinion and Commissioner Morgan's dissent will be issued later.

This was issued through our information office in the usual way.

Mr. BROTZMAN. What was the date of issuance?

Mr. SWIDLER. The date was March 28, 1962. The press release which was prepared to give notice to the public of what we did stated the facts about the issuance of this order, and included the following statement of the dissent:

Commissioner Howard Morgan dissented on the grounds that the period of public notice was unreasonably short, that the FPC's notices of application were deficient, and that construction of the Oregon-California intertie "has not been shown to be compatible with the public interest and should not be authorized pending policy decisions relative to such an intertie scheduled by the current session of the Congress."

The press release concluded, as the order had, "A Commission opinion and Commissioner Morgan's dissent will be issued later."

Now, Mr. Morgan felt that this did not do justice to his dissent, and he prepared a separate press release which was issued by the Commission's information office and was made a part of the release, together with the formal opinion. I will read this press statement. It is headed as follows: "Press statement by Commissioner Howard Morgan for dailies in the Pacific Northwest States."

Commissioner Morgan's release then continued:

Commissioner Morgan, a resident of Oregon and former Oregon public utility commissioner, commented further: "All three of the Pacific coast Governors, all six of the Senators, and the public utility commissioners of Oregon and Washington, are on record against this sort of an intertie, in the absence of legislation protecting the Pacific Northwest against power raids under the preference clause. The Governors and State utility commissioners were informed of this proceeding, but did not understand its significance and did not investigate its interstate aspects deeply enough to discover what was involved. The result was that while the Governors remained silent, the State utility commissioners actually approved the security issue with no reservations as to the projects involved. The majority of the FPC followed their lead.