

because they charged too little; whether it was violating the terms of its license for the construction of the lower Hells Canyon project, its problems with fish passage and various other things that we thought we could handle in a more orderly way or which did not represent a provident use of staff or which went entirely beyond our province.

And we declined to use this security issue proceeding as the fulcrum for these investigations.

Mr. BROTZMAN. So you predicated that order on those reasons and not on a desire to conform or the fact that you were timid or had a desire for personal security?

Mr. SWIDLER. Yes, sir; I have no fear whatever of the Idaho Power Co.

Mr. BROTZMAN. And one other thing: When you write these decisions and these opinions, you predicate them upon the evidence that has been presented to you and the facts adduced in evidence, and not on some other hidden purpose or meaning, is that correct?

Mr. SWIDLER. We try very hard, Mr. Brotzman, to decide a case on the record and to be a model of impartiality and handle it with administrative justice.

Mr. BROTZMAN. The reason I am interested in this matter particularly, of course, as the chairman stated initially, is we are trying to improve the process and having had a small bit of experience in this general area at the State level, it is of great importance, of course, to the attorneys and to the people and to everyone concerned that we know why you are deciding a decision a certain way.

It is of great importance.

Mr. SWIDLER. Well, I think you can be assured, Mr. Brotzman, that we are doing our level best on the record.

I don't claim that we are not making some mistakes; I am sure that we are.

Mr. BROTZMAN. I have no further questions, Mr. Chairman.

The CHAIRMAN. Mr. Swidler, you have in my judgement presented a very vigorous defense in behalf of yourself and the Commission and have fairly given the committee your feeling about this entire matter.

I gather from the overall picture that this is a matter that developed rather competitively within the Commission, culminating in the action that was taken. I gather that you take your work very seriously.

From my observation you have made a very great effort to do your job as chairman as you see it, with the organization and personnel at your disposal and with the Commission in carrying out its duty and responsibility.

Do you feel that your actions have been in the public interest?

Mr. SWIDLER. Yes, sir.

The CHAIRMAN. Do you feel that your administration and actions in the Commission have been in the interest of the consumers?

Mr. SWIDLER. Yes, sir.

The CHAIRMAN. You have had that in mind as you have worked in an effort to serve the people who have appeared before you?

Mr. SWIDLER. To the best of our ability, sir.

The CHAIRMAN. Do you feel that the industry must have the decisions of the Commission before it can serve the public?