

scrutiny when the experts from the industry and from the Federal Power Commission are examined by your committee. Then you can determine whether the rationale, the application, the principles which I am discussing are reasonable, sensible, and logical.

I submit that they are.

Mr. Chairman and members of the committee, I don't see any point in my going further into the specifics of the legislation or the facts of the case. I do want to thank all of you again for holding these hearings because, while it doesn't seem like many companies would be affected, there is a principle involved here that is very important. It becomes necessary for the Congress to decide whether the Congress wants to draw that line in the day-to-day operation of the overall system at the same place which has been drawn by the Federal Power Commission.

Mr. MACDONALD. Thank you very much, Congressman. Are there any questions of Mr. Fascell?

Mr. HARVEY. No questions.

Mr. MACDONALD. Mr. Kornegay.

Mr. KORNEGAY. As I understand, the only connection between Florida Power & Light in the southern part of Florida and Florida Power in the northern part of Florida is an interconnection for emergency use only.

Mr. FASCELL. That is correct.

Mr. KORNEGAY. And ordinarily there is no exchange of power between those two companies? In the absence of emergency there is no exchange of power.

Mr. FASCELL. Right. Also this proposed legislation would prevent some indirect method of circumventing the whole concept of interstate commerce.

For example, a company operating wholly intrastate could not make a contract with a company outside the State for delivery to it through an intermediary company. That would be clearly an evasion of the whole concept, so that is specifically prohibited.

There are ways to get at the protection of interstate commerce and the jurisdiction of the Federal Power Commission without this unnecessary extension of the theory. I think that is the whole question that is involved.

Mr. KORNEGAY. Does the Federal Power Commission now or have they in the last 3 years tried to regulate Florida Power & Light?

Mr. FASCELL. That is what is under controversy. By decision they did undertake to do that.

Mr. KORNEGAY. Have they backed off?

Mr. FASCELL. That is under present controversy. That is a present controversy.

Mr. KORNEGAY. Does the Commission as of now, today, still contend—

Mr. FASCELL. As I understand it they have not because the matter is in court.

Mr. KORNEGAY. What?

Mr. FASCELL. I understand that the Commission has not because the matter is still in court.

Mr. KORNEGAY. In other words, it is suspended as a result of the court action.

Mr. FASCELL. I believe that is right.