

The staff's proposal is that the Commission grant the applications but make clear that it recognizes the existence of an improper exclusionary practice and that it expects applicants to take the necessary action either to terminate the practice or at least to free themselves of any further association with it. The staff recommends that the Commission allow applicants some six months to deal with this matter. This proposal is believed to be the most practical solution to a difficult problem. It will allow applicants to proceed with the construction of the Northfield Mountain project, which is thought to be a well conceived development and one which is needed to meet the power needs of the region. At the same time, the proposal will present the Commission, it is believed, with a license order which will be defensible in the courts. (See, however, on the problems of an administrative agency's postponing consideration of antitrust problems raised on an application, the recent case of The Denver and Rio Grande Western Railroad Co. v. United States, 35 U.S.L. Week 4531, 4535-4538 (U.S. June 5, 1967)).