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Justice Dept. Held Lax On Pipelines

A trial lawyer with 15 years' experience in the Justice Department's Antitrust Division charged yesterday that the department has substituted "perpetual investigation" for filing a lawsuit that, possibly within a year, would bring an answer from the Supreme Court to an old but "extremely important question": whether pipelines jointly owned by major oil companies violate the antitrust laws.

"The Supreme Court makes antitrust policy, not some assistant attorney general" in charge of the division, a House Small Business subcommittee was told by Robert L. Wright, a trial lawyer in the division from 1948 to 1949 and a top assistant from 1961 to 1965.

Wright charged that the Interstate Commerce Commission, which also has jurisdiction over joint-venture pipelines, as common carriers, similarly has "done nothing."

But ICC Chairman George M. Stafford said that his agency is forcing the law and that if Congress wants changes it should enact new legislation.

Wright testified, "Everybody knows that joint ownership of a pipeline by two or more major oil companies has at least two anti-competitive effects... it eliminates competition between the owners; it also results in competition against independent oil producers and refiners."