

# Judge Sternly Lectures U.S. Chamber, Rejects Plea

By Allan Frank

Washington Star Staff Writer

The Consumer Federation of America, represented in U.S. District Court here yesterday by government attorneys, defeated a move by the U.S. Chamber of Commerce to prevent the Department of Energy from paying the consumer group for working on changes in the regulation and pricing of home heating oil.

U.S. District Court Judge June L. Green sternly rejected a request by the chamber for a temporary restraining order which would have prevented the Department of Energy from reimbursing the consumer group for its efforts in a case involving overcharges by oil companies for home heating oil.

The chamber had filed suit in an effort to stop payment by DOE of up to \$40,000 to the Energy Policy Task Force of the consumer federation, which has been representing the consumer viewpoint by arguing at regulatory hearings for controls on the prices of home heating oil.

IN COURT yesterday, Stanley T. Kaleczyc, attorney for the chamber, argued that "it is very clear (from

federal law) that the Department of Energy may not fund anyone, consumer interests or oil interests. It would appear at this stage that at least congress does not contemplate funding any advocate."

Several times during the court session of less than 1 hour, Green sarcastically asked Kaleczyc whether he wanted to suggest that the oil companies were too poor to finance their own opposition to the regulation governing prices of home heating oil.

At one point, when Kaleczyc said the chamber could be labeled as a consumer because its headquarters uses an oil-fired furnace, Green advised Kaleczyc that he could put the remainder of his allotted 15 minutes to better use.

IN A THREE-PAGE order, Green said DOE must be permitted to continue its reimbursement of the consumer federation "to ensure the representation of views that would not otherwise be represented. Since it is known that the Justice Department and the staff of DOE both oppose price controls for home heating oil, DOE's decision to fund EPTF/CFA will ensure that at least one viewpoint in favor of regulation will be meaningfully presented."

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