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The Wrong Man for the FPC

Regulatory agencies frequently fall captive to the industries that they are supposed to regulate. But even by the regrettable standards of that tradition, the present state of the Federal Power Commission is extraordinary. The chairman is a New Hampshire lawyer who, in his private practice, was counsel to a gas utility. One member is a lawyer from a Texas firm that specializes in representing gas and oil interests. Two other members are Republicans from Capitol Hill, one of them a retired Illinois congressman and the second a senator's former administrative assistant. Among the four there is none who can properly be called a critic of the industry, or a spokesman for its customers.

The fifth seat on the commission is vacant. Last December the President nominated Robert H. Morris, a San Francisco lawyer who has spent much of his career representing Standard Oil of California. Several senators have carried on a long delaying action against confirmation of Mr. Morris. But now his nomination is about to come to the Senate floor. The question is not whether the industry's view deserves representation within the FPC. It is whether any other view is to be represented.

Mr. Morris' integrity and competence are not in question. But at a time when public confidence in the federal government is not high, the Senate would make a grievous error in awarding still another seat on the FPC to a lawyer who, in his private career, spoke for the oil and gas industry.

That industry might usefully ask itself whether its own interests are really served by this crude tactic of excluding all dissent from the commission. Over the next several years, the federal government is going to have to make a series of hard decisions regarding prices and taxation of gas and oil. These decisions will be political. They will reflect voters' impressions as to whether they are being treated fairly. It is something of an understatement to say that currently the oil and gas industry does not enjoy any great degree of public trust and affection. The industry might consider whether anyone will put much credence in the findings and rulings of an FPC dominated by lawyers who, before coming to Washington, worked for the gas and oil companies. The senators ought not have much trouble answering that question. The proper course for the Senate is to reject Mr. Morris' nomination.