

FPC Order To Copco May Be Significant In Fight Over Control of Rivers

By ERIC ALLEN Jr.

San Francisco—An order issued November 21 by the federal power commission in regard to certain operations of the California Oregon Power company may be a step by the FPC toward strengthening its power of control over rivers.

The order, which is a part of a series of orders issued by the FPC, appeared here this week after receipt of a copy of the order.

Officers of Copco had no comment on the order, except to indicate that it referred to hydroelectric developments which had been constructed and placed in service prior to the adoption of the law which requires licensing of such projects by the FPC.

PROJECTS NOT SUBJECT

The order was to Copco to "show cause" why the FPC should not determine whether or not the projects should be licensed. The projects on the Klamath river referred to have never been licensed. Copco officials explained, since they have not been subject to the act.

The order itself uses as a point of reference Copco's April 19, 1951, application for a license to construct, maintain and operate its proposed Big Bend No. 2 plant, as part of a comprehensive plan comprising a series of seven proposed power units on the Klamath river.

Immediate effect of the order would be a clarification of whether it will be necessary for Copco to obtain licenses for all its projects, both existing and proposed, on that river.

APPARENT DIFFERENCES
A longer range effect, however, and one on which Copco officials declined to comment, may involve the apparent growing differences between the federal power commission and the interior department on the broad question of jurisdiction over the country's water resources.

On October 10, 1951, Secretary of the Interior Oscar Chapman wrote the FPC voicing general objections to the licensing of Copco's Big Bend No. 2 project, on the grounds that it was a single purpose development. He said that such a development would foreclose highly desirable related water resources developments in the Klamath River Basin, and would be inimical to the public interest.

RECOMMENDS DENIAL

The secretary's letter did not make clear the points of difference, but did recommend that the company's application be denied and should a hearing be held, requested the interior department be granted the opportunity to partici-

It is a matter of public record that the bureau of reclamation has protested the granting of a license to Copco for the Big Bend No. 2 plant, and Chapman's letter indicated that this opposition will be carried through.

"COMPLETE USE" SEEN

"The protest of the reclamation service would appear to assert that it may make a complete use of the waters of the Klamath river even to the extent of completely drying up in the state of California notwithstanding existing prior rights both for power and irrigation."

How these indications fit into the picture regarding the Klamath river projects, and the FPC's interest in them, is not revealed by the power commission's order, nor, directly from evidence so far made available by the federal bureau involved.

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