

SESSIONAL PAPER No. 230

REQUEST FOR A PROMPT HEARING.

This application was first presented to the Commission at Atlantic City, N.J., on August 12, 1918, having been filed in the offices of the Commission a few days previously, and Mr. George W. Koonce, of council for the United States, applied to the Commission, at the instance of the Government of that country, for an immediate hearing of the application, representing that aluminum is urgently required by the United States Government and all the allied Governments for the prosecution of the present war, being used in the construction of aeroplanes, motor trucks, mess utensils, camp outfits; that owing to ice troubles last winter at Massena, the output of the company was cut down to 28 per cent in January, and to 11 per cent in February, of the normal production, and that the proposed submerged weir is designed to correct these ice troubles and to allow the production of aluminum to be maintained at the highest efficiency during the winter months. He added that the company furnishes 60 per cent of the aluminum used by Great Britain in the present war, 33½ per cent of that utilized by France, and 75 per cent of that used by Italy, and that the United States Government gets its whole supply from the company. In support of his application for an immediate hearing, he produced letters from Mr. B. M. Baruch, Chairman of the War Industries Board, and from Mr. M. W. Kellogg, Acting Director of Aircraft Production, urgently requesting a speedy and favourable consideration of the application of the St. Lawrence River Power Company. These letters are printed in the appendix to this opinion.

Mr. Frank H. Keefer, of counsel for the Dominion of Canada, was present when Mr. Koonce applied for this hearing, but he stated that he was not authorized to give his assent thereto.

The Commission did not grant an immediate hearing to the applicant company, but it considered that the urgency of the occasion called for a suspension of its rules of procedure so as to expedite as much as possible the hearing of the application, and, by its order bearing date August 13, it ordered that the hearing be held on the 29th day of August, at 10 a.m., at Montreal, Que., and that all statements in response to the application be filed on or before the 26th day of August.

THE HEARING.

The hearing took place at Montreal, as arranged, on August 29 and 30, and the following appearances were announced:—

- Mr. George B. Gordon, Pittsburg, representing the applicant;
- Mr. Leighton McCarthy, K.C., Toronto, representing the applicant;
- Mr. George W. Koonce, Washington, representing the United States Government;
- Mr. John C. Churchill, Washington, representing the Corps of Engineers, United States Army;
- Hon. Hugh Guthrie, Ottawa, Solicitor General for the Dominion of Canada;
- Mr. Frank H. Keefer, K.C., M.P., Ottawa, representing the Dominion of Canada;
- Mr. William J. Stewart, Ottawa, chief hydrographer of the Dominion of Canada;
- Mr. S. J. Chapleau, Ottawa, representing the Department of Public Works of Canada;
- Mr. James White, Ottawa, representing the Commission of Conservation of Canada;
- Mr. Arthur V. White, consulting engineer of the Commission of Conservation of Canada;
- Mr. George H. Kilmer, K.C., Toronto, representing the province of Ontario;
- Mr. H. G. Acres, Toronto, representing the Hydro-Electric Power Commission of Ontario;
- Mr. Marshall McLean, New York, special deputy attorney-general of the State of New York;