

391 U.S.

May 20, 1968.

FEDERAL POWER COMMISSION *v.* PAN AMERICAN PETROLEUM CORP. ET AL.

ON PETITION FOR WRIT OF CERTIORARI TO THE UNITED STATES COURT OF APPEALS FOR THE TENTH CIRCUIT.

No. 227. Decided May 20, 1968.*

Certiorari granted; 376 F. 2d 161, vacated and remanded.

Solicitor General Marshall, Richard A. Solomon, Peter H. Schiff, and Joel Yohalem for petitioner in No. 227. *Bertram D. Moll and Morton L. Simons* for Long Island Lighting Co., *Samuel Graff Miller* for Philadelphia Electric Co., and *Kent H. Brown* for Public Service Commission of the State of New York, petitioners in No. 415.

J. P. Hammond, William J. Grove, Carroll L. Gilliam, and Philip R. Ehrenkranz for Pan American Petroleum Corp., *Cecil N. Cook and Neal Powers, Jr.*, for Cockrell et al., *Cecil E. Munn* for General American Oil Co. of Texas, *Bruce R. Merrill and Thomas H. Burton* for Continental Oil Co., *H. H. Hillyer, Jr.*, for J. Ray McDermott & Co., Inc., *Oliver L. Stone and Thomas G. Johnson* for Shell Oil Co., *Murray Christian and H. W. Varner* for Superior Oil Co., and *Paul W. Hicks, Robert W. Henderson, and Donald K. Young* for Placid Oil Co. et al., respondents in both cases.

PER CURIAM.

The petitions for writs of certiorari are granted and the judgments are vacated. The cases are remanded to the United States Court of Appeals for the Tenth

*Together with No. 415, *Long Island Lighting Co. et al. v. Pan American Petroleum Corp. et al.*, also on petition for writ of certiorari to the same court.

May 20, 1968.

391 U. S.

Circuit for further consideration in light of *Federal Power Commission v. Sunray DX Oil Co.*, ante, p. 9.

MR. JUSTICE MARSHALL took no part in the consideration or decision of these cases.

BRANIGIN ET AL. v. DUDDLESTON ET AL.

APPEAL FROM THE UNITED STATES DISTRICT COURT FOR
THE SOUTHERN DISTRICT OF INDIANA.

No. 1252. Decided May 20, 1968.*

284 F. Supp. 176, affirmed.

John J. Dillon, Attorney General of Indiana, and *Charles S. White* for appellants in No. 1252. *Marshall F. Kizer* for appellant in No. 1263.

Leslie Duvall and *William H. Sparrenberger* for appellees in both cases.

PER CURIAM.

The motions to affirm are granted and the judgment is affirmed.

MR. JUSTICE HARLAN, for reasons contained in his memorandum of March 4, 1968 (390 U. S. 932, *sub nom. Branigin v. Grills*), in which he acquiesced in the denial of stays of enforcement of the District Court's judgment, also acquiesces in the Court's affirmance of that judgment.

*Together with No. 1263, *Summers v. Duddleston et al.*, also on appeal from the same court.