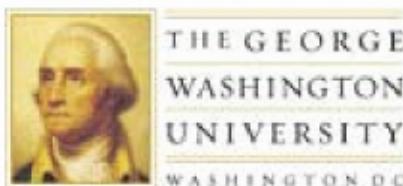


# The Burger Court Opinion Writing Database

*FERC v. Shell Oil Co.*

440 U.S. 192 (1979)

Paul J. Wahlbeck, George Washington University  
James F. Spriggs, II, Washington University in St. Louis  
Forrest Maltzman, George Washington University



To: Mr. Justice Brennan  
Mr. Justice Stewart  
Mr. Justice White  
~~Mr. Justice Marshal~~  
Mr. Justice Blackmu  
Mr. Justice Powell  
Mr. Justice Rehnqui  
Mr. Justice Stevens

From: The Chief Justice

JAN 25 19

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Recirculated: \_\_\_\_\_

1st DRAFT

**SUPREME COURT OF THE UNITED STATES**

Nos. 77-1652 AND 77-1654

Federal Energy Regulatory Com-  
mission, Petitioner,

77-1652                    v.

Shell Oil Company et al.

Consumer Energy Council of  
America, Petitioner,

77-1654                    v.

Federal Energy Regulatory  
Commission.

On Writs of Certiorari to  
the United States Court  
of Appeals for the Fifth  
Circuit.

[February —, 1979]

PER CURIAM.

The judgment is affirmed by an equally divided Court.

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

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE W. J. BRENNAN, JR.

January 29, 1979

RE: Nos. 77-1652 and 1654 FERC v. Shell Oil &  
Consumer Energy Council of America

Dear Chief:

I agree.

Sincerely,



The Chief Justice

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE BYRON R. WHITE

January 25, 1979

Re: Nos. 77-1652 & 77-1654 -

FERC v. Shell Oil Company; and  
Consumer Energy Council v. FERC

---

Dear Chief,

I agree.

Sincerely yours,



The Chief Justice  
Copies to the Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE THURGOOD MARSHALL

January 29, 1979

Re: Nos. 77-1652 and 77-1654 - FERC v.  
Shell Oil Co., et al.

Dear Chief:

I agree with your per curiam.

Sincerely,

*JM.*

The Chief Justice

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE HARRY A. BLACKMUN

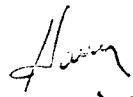
January 29, 1979

Re: No. 77-1652 - Federal Energy Regulatory Commission  
v. Shell Oil Company  
No. 77-1654 - Consumer Energy Council of America  
v. Federal Energy Regulatory Commiss

Dear Chief:

I agree.

Sincerely,



The Chief Justice

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE LEWIS F. POWELL, JR.

January 30, 1979

Nos 77-1652 and 17-1654 FERC v. Shell

Dear Chief:

I agree with your Per Curiam.

Sincerely,



The Chief Justice

lfp/ss

cc: The Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE WILLIAM H. REHNQUIST

January 29, 1979

Re: Nos. 77-1652 and 77-1654 - FERC v. Shell Oil Co.,  
et al.

Dear Chief:

I agree with the per curiam you have prepared in this case.

Sincerely,



The Chief Justice

Copies to the Conference

Supreme Court of the United States  
Washington, D. C. 20543

CHAMBERS OF  
JUSTICE JOHN PAUL STEVENS

January 29, 1979

Re: 77-1652 and 77-1654 - FERC v. Shell  
Oil & Consumer Energy Council

Dear Chief:

Please join me.

Respectfully,

J. H. C.

The Chief Justice

Copies to the Conference