

January 27, 1943.

MEMORANDUM FOR JUDGE VINSON and
JUDGE RUTLEDGE

Re: No. 7948 American Gas & Electric Co. v. S.E.C.

In the course of preparing my dissenting opinion in the above entitled case I became curious as to whether there was any legislative history of the Public Utility Holding Company Act of 1935 which might throw light upon the meaning of the phrase "subject to a controlling influence" in Section 2 (a) (8), and I asked Mr. Stewart, in my behalf, to inquire of counsel for each of the parties whether or not in the course of their preparation of the case (and without further research) they had discovered anything pertinent.

The replies of counsel may be of interest and I attach them hereto. Please return for the official files of the case.

H.M.S.