

Commission.

It is ordered, That the initial decision of the administrative law judge shall, on the 15th day of March 1973, become the decision of the Commission.

IN THE MATTER OF
HEUBLEIN, INC.

Docket 8904. Interlocutory order, March 15, 1973.

Order directing would-be intervenor, Allied Grape Growers, and the respondent and complaint counsel to file supplemental briefs on what and how interests of Allied would be affected; and why Allied's interests in final order would not be adequately represented by complaint counsel and *amicus* briefs from Allied.

ORDER GRANTING APPLICATION FOR INTERLOCUTORY APPEAL

This matter is before the Commission upon the application of would be intervenor Allied Grape Growers for an interlocutory appeal from the administrative law judge's denial of application for leave to intervene filed January 31, 1973, and upon respondent's opposition thereto filed February 7, 1973.

Upon consideration of the materials before it, the Commission believes that the issues raised by applicant are of sufficient significance to warrant review by the Commission of the administrative law judge's determination denying intervention. However, the Commission believes that the record now before it may be inadequate to permit proper evaluation; therefore

It is ordered, That applicant, respondent, and, in its discretion complaint counsel, shall file supplemental briefs directed to the following questions:

1. What are the precise interests of Allied which would be threatened by the proposed or other possible orders in this case, and in what fashion might potential divestiture decrees have the effect of abrogating *specific* contractual or

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other legal obligations owed to Allied by Heublein or any other party?

2. Assuming that Allied's interests in the final order would not adequately be represented by Heublein, why would they not adequately be represented by complaint counsel, or by complaint counsel and *amicus* briefs from Allied?

Briefs shall not exceed fifteen (15) pages in length. Applicant's brief and any brief which complaint counsel may wish to file on the above questions shall be filed within ten (10) days of this order; respondent's reply brief shall be filed within five (5) days of respondent's receipt of applicant's brief.

IN THE MATTER OF

ATLANTIC CARPET CORPORATION, ET AL.