

IN THE MATTER OF
KENNECOTT COPPER CORPORATION

Docket 8765. Order, Nov. 18, 1975

Denial of petition to reopen proceeding to enlarge time for compliance.

Appearances

For the Commission: *Fiodie P. Favarella* and *Joseph Eckhaus*.

For the respondent: *John L. Warden, Sullivan & Cromwell*, New York City and *John Bodner, Jr.* and *Francis A. O'Brien, Howery, Simon, Baker & Murchison*, Wash., D.C.

ORDER DENYING PETITION TO REOPEN THE PROCEEDING TO
ENLARGE THE TIME FOR COMPLIANCE

On Oct. 14, 1975, respondent Kennecott Copper Corporation filed a "Petition To Reopen the Proceeding To Enlarge the Time for Compliance." By answer dated Nov. 10, 1975, the Bureau of Competition has opposed the petition.

The Commission is of the view that respondent's petition to reopen is not a proper vehicle for seeking an extension of time within which to comply with an order, and has determined to deny the petition, for the reasons elaborated in its order of May 5, 1975 [85 F.T.C. 848], denying a similar petition to reopen these proceedings to enlarge the time for compliance.

The Commission will consider separately respondent's request, filed simultaneously pursuant to Section 4.3(b) of the rules of practice, for an extension of time within which to comply with the order to cease and desist in this matter. Therefore,

It is ordered, That the "Petition To Reopen the Proceeding To Enlarge the Time for Compliance" be, and it hereby is, denied.

IN THE MATTER OF
AMERICAN GENERAL INSURANCE COMPANY

Docket 8847. Order, Nov. 18, 1975

Denial of motion by respondent and intervenor for reconsideration of 1972 order vacating administrative law judge's initial decision and remanding case for further proceedings.

Complaint

86 F.T.C.

Appearances

For the Commission: *Harold E. Kirtz, Karen G. Bokar and Charles W. Corddry, III.*

For the respondent: *Michael J. Henke, Vinson, Elkins, Searls, Connolly & Smith, Wash., D.C.*

ORDER DENYING MOTION FOR RECONSIDERATION

Respondent American General Insurance Company and intervenor Fidelity and Deposit Company of Maryland move for reconsideration of an order by the Commission, dated Dec. 5, 1972 [81 F.T.C. 1052], vacating the administrative law judge's initial decision and remanding the case for further proceedings. The administrative law judge filed an initial decision sustaining the complaint in this matter on Aug. 7, 1975.

Respondent and intervenor have failed to make a sufficient showing why the Commission should grant their motion for reconsideration, especially after the lapse of almost three years from the date of issuance of the order they seek to challenge. Accordingly,

It is ordered, That the aforesaid motion for reconsideration be, and it hereby is, denied.
