

PUC attacks Denenberg in high court arguments

PITTSBURGH (AP) — The state Supreme Court heard arguments yesterday on a move by the Public Utility Commission to prevent Gov. Shapp from appointing Herbert S. Denenberg as its legal counsel.

Arlen Specter, the PUC's attorney for the case, appealed a Commonwealth Court refusal to grant an injunction and claimed that appointing Denenberg as counsel is part of a plan by Shapp to take over the operation of the PUC.

He said Denenberg has conflicts of interest with the commission and has subjected it and its members to public ridicule.

During the hearing, Chief Justice Benjamin R. Jones said he reminded Denenberg to abide by a July 30 Supreme Court decision ordering the former state insurance commissioner not to practice law in the state.

Denenberg, who can practice law in Nebraska and Washington, D.C., had asked the state Board of Law Examiners for permission to practice law in Pennsylvania.

The board granted the request, but in an unprecedented move, the state Supreme Court said it wanted to consider the injunction issue before permitting Denenberg to practice law in the state.

In that order on July 30, the high court said: "It is hereby ordered that the certificate of admission to

practice law given by the prothonary to Herbert S. Denenberg is revoked forthwith."

Denenberg was not immediately available for comment.

Lawrence Silver, deputy attorney general representing Denenberg, said the Commonwealth Court did not abuse its discretion because the PUC "did not have clean hands."

"This lawsuit is about a man, his ideas and his style," said Silver.

"Since people in public life too often are regarded as things, it is altogether fitting that this record briefly reflected few undisputed facts about Herbert S. Denenberg," he said.

He said the jurisdiction of the lower court was in "substantial doubt" because of Shapp's right of appointment.

Specter said Denenberg criticized the PUC before reporting to work on his first day as the commission's counsel.

The commission has five seats, but Shapp has said he will name Denenberg as an interim appointee after the legislature adjourns Nov. 30.

Denenberg, who reportedly is receiving a salary of \$25,819 from the Justice Department while his appointment to the PUC hangs in balance, was named to the interim post of counsel in June until he is confirmed to the commission seat.

The Supreme Court said it will take the Denenberg appointment under advisement and invited both sides to present supplemental briefs on the case.

Denenberg 'always out'

HARRISBURG (AP) — The message, "He's not in" often is given by secretaries of high state officials whose bosses dislike taking phone calls.

Herbert S. Denenberg, Public Utility Commission counsel, said yesterday his callers the past two days have been getting the same message-without his knowledge.

Denenberg charged that PUC Chairman George I. Bloom ordered PUC personell to say Denenberg was out when the counsel was at his desk.

To check the statement by Denenberg, the PUC counsel, a newsman called the commission's information number and asked where Denenberg could be reached.

"I really couldn't tell you," a woman receptionist responded. "He's not in today. Maybe the attorney general could tell you where he is."

A call was then placed to Denenberg, who was in his office.

The receptionist also was asked

where people could obtain a copy of Denenberg's "Shopper's Guide to Public Utility Law." The woman replied, "I don't know anything about it-only what I read in the newspapers."

Gov. Shapp has appointed Denenberg PUC counsel and will give him a one-year appointment as a PUC commissioner after the legislature adjourns Nov. 30. Bloom refuses to recognize Denenberg as counsel and has designated Edward Muncie, a PUC attorney, as acting counsel.

Denenberg said he learned Wednesday that calls weren't getting through when his secretary — a 17-year veteran of the PUC — burst into his office crying. The secretary said Muncie told her not to put through Denenberg's calls and she became emotionally upset, Denenberg said.

Muncie was not immediately available for comment.

Shortly afterwards, Denenberg's wife, Naomi, who was assisting him

without pay, placed a call through the governor's switchboard. The operator told her people were complaining they couldn't reach her husband.

Mrs. Denenberg started answering all of Denenberg's calls Wednesday. Yesterday, she was answering the phone again along with Denenberg's secretary — who ignored the order from Muncie — and another secretary borrowed temporarily from the Justice Department.

Denenberg said his office was flooded with letters asking for copies of his guide.

The letters left Denenberg with another complication, because Bloom sent Muncie a memo telling him that any mail from Denenberg should be approved by him, Muncie, before being sent out.

Bloom said his memo was aimed at the costly amount of mail sent out by Denenberg.

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Campaign bill finished

WASHINGTON (UPI) — Senate-House negotiators completed action yesterday on a sweeping political campaign reform bill including a crack-down on congressional moonlighting.

The bill provides for public financing of presidential elections, primaries and national conventions. It would limit political contributions and place ceilings on candidate spending.

conferees agreed on a provision to limit members of Congress to honorariums of \$15,000 a year, with no more than \$1,000 for a single speech or article.

A number of senators last year made more on the speaking circuit than their \$42,500 salaries. Sen. Hubert H. Humphrey, D-Minn., led the list with \$65,650. Sen. James Abourezk, D-S.D., made the most — from one speech, \$10,000.

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White House Press Secretary Ron Nessen withheld comment on whether Ford would sign the bill, but reiterated that the President is opposed to using taxpayers' money to finance primaries and conventions.

The conferees agreed yesterday that Senate and House candidates could use for office expenses any contributions which exceed their spending limits.

But they dropped a proposal to repeal the equal time provision for presidential candidates under which all are entitled to the same television and radio time.

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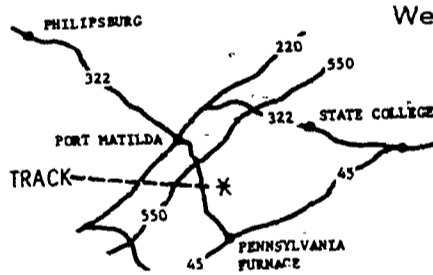
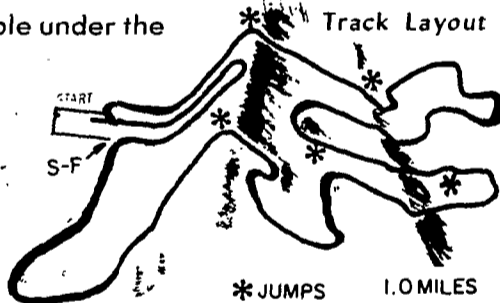
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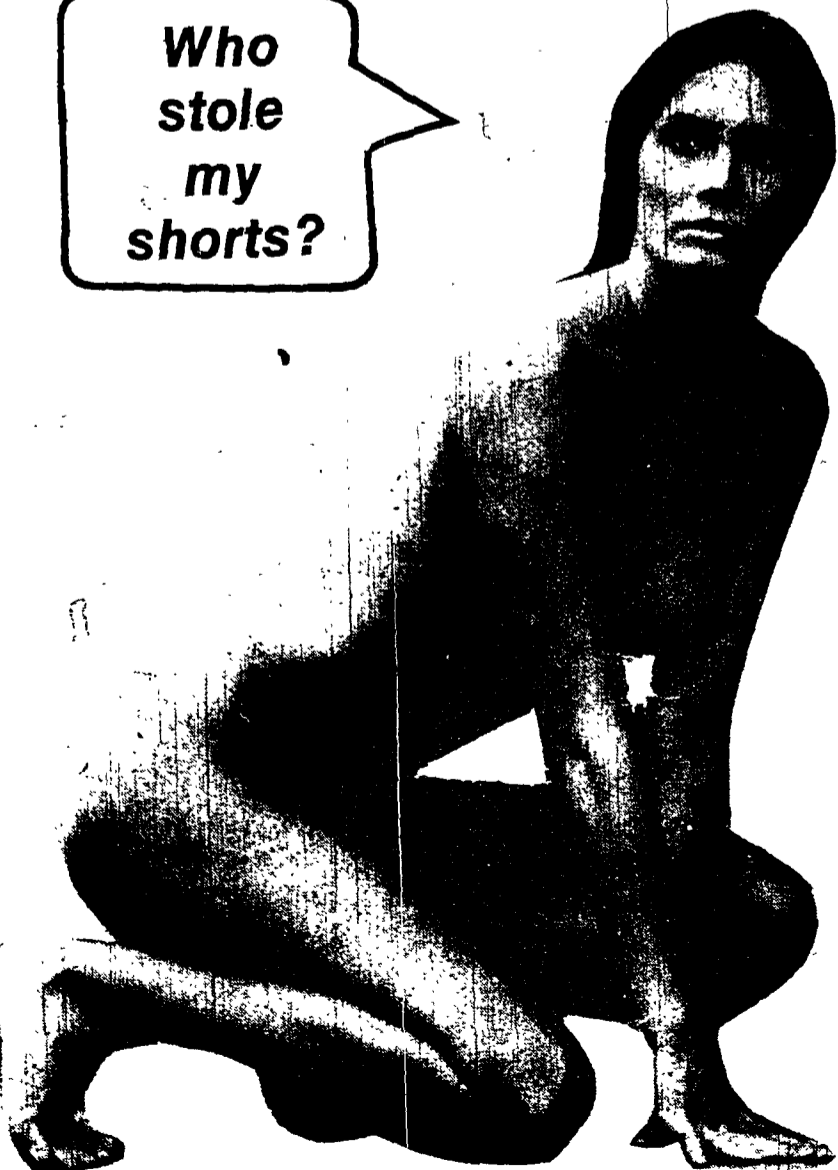
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