

AL & STATE

her news
note...

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New York law firm to represent
2 men pursuing HL&P rate caseHandled vets' suits
over Agent Orange

BY MICHAEL DAVIS
OF THE HOUSTON POST STAFF

The New York law firm that brought the Agent Orange class action suit against the government will represent two Houstonians who have single-handedly forced Houston Lighting & Power Co. to the brink of a full-scale rate hearing, a partner in the firm said Saturday.

For the past 18 months, Kenneth Williams and Charles Pace have been acting as their own attorneys, trying to convince the Public Utility Commission to call HL&P in for a Section 42 rate hearing based on estimates that the company exceeded its earnings ceiling in 1992.

Last week, Administrative Law Judge Stephen Davis agreed with Williams and Pace, who were laid off from HL&P in April 1992. Davis recommended the PUC call in the company for a rate filing. Davis calculated HL&P overshot its 1992 profit ceiling set by the PUC by \$23 million to \$101.4 million.

Victor Yannacone Jr., of Yannacone & Yannacone, which handled the Agent Orange suits for Vietnam veterans, said the firm will assist Williams and Pace free of charge. Yannacone spoke at a news conference at Leonard's Barbecue, 2508 Quitman, which is partly owned by Williams and has become the headquarters of the effort.

The case has proceeded further than any third-party complaint seeking a rate hearing against HL&P. In addition to a rate reduction, Williams and Pace have asked the PUC to remove the South Texas Project nuclear plant from the rate base.

HL&P, which has argued Pace and Williams are disgruntled former employees using the PUC as a forum to harass the company, has indicated that it will appeal Davis' recommendation.

Yannacone's firm will be representing Williams and Pace in the upcoming PUC hearings and in Travis County District Court, where the fight is expected to go if the commission agrees with Davis' recommendation. HL&P would be expected to take the matter to state court to have the commission's decision voided.

"The people of Houston need to take back their light company," Yannacone said, describing how

Houstonians at one time paid some of the lowest rates in the country before HL&P's parent company, Houston Industries, diversified into areas such as cable TV companies.

"This is a case with national significance," Yannacone said. "Every official with every utility in this nation is watching the case."

Yannacone said Houston Industries should be forced into receivership and HL&P should be spun off so ratepayers will not have to foot the bills for other losses. The company's cable enterprise, KBLCOM, has been consistent money loser since was acquired by HI in 1989.

Pace said he and Williams have been able to handle the matter up to this point, but they have reached a level now where they have to have legal assistance.

Other attorneys at the news conference who will be assisting Pace and Williams include Houston attorneys Benton Mullerwhite and Gary Riebschlag. The latter is also representing Pace in a lawsuit against HL&P in Fort Bend County seeking recovery of \$500 million in so-called "phantom taxes" charged by HL&P.

Candidate Bush calls for end to inmate release program

ED PRESS

N — Republican gubernatorial candidate George W. Bush called for an end to mandatory supervision, a program which 3,000 prisoners were released last year. Mandatory supervision is similar to parole except the parole

board no longer has a say over the release date.

Instead of a parole board vote, inmates released under mandatory supervision are set free when their actual time and their good conduct time equal their sentence.

They then would be supervised by parole officials for the re-

mainder of their actual sentences and could be returned to jail if they committed another offense.

"Every prisoner who is let out on mandatory supervision has previously been denied parole and for very good reason," said Bush. "So it makes no sense to then let them get out of jail without first passing muster with the

parole board."

Mandatory supervision was started in the 1970s to ease prison crowding.

Bush's proposal, which would require action by the Legislature, would close the door to the release of nonviolent criminals.

Houston probe cost at least \$50,000, Travis DA says

ED PRESS

District Attorney Ronald Earle said there was no precise way to calculate the total figure. Earle

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