

November 18, 1998

MEMORANDUM TO: Chairman Jackson
Commissioner Dicus
Commissioner Diaz
Commissioner McGaffigan

FROM: Commissioner Merrifield

SUBJECT: COMNJD-98-007 -- COMMISSION DECISION-MAKING REGARDING THE EFFECTS OF LEGAL
ADVICE AND LITIGATIVE RISK ON HIGH-PRIORITY POLICY MATTERS

I agree with the approach outlined by Commissioner Diaz in COMNJD-98-007 and 007A as modified by the November 12, 1998, memorandum of Commissioner Dicus, and the November 13, 1998, memorandum of Commissioner McGaffigan.