

unfair competition, tacitly acknowledging that the issues pending before this agency are antitrust in nature. Moreover, Judge Mathias's Order No. 7 in this case, "Initial Determination Designating the Investigation As More Complicated," issued November 19, 1986, refers on pages 1, 2, and 3 to the "complex antitrust issues which were already present in this matter," "the antitrust nature of the allegations in issue," and "the complicated antitrust issues raised in the complaint and the original answer." The FTC wishes to intervene because, as an agency that enforces the antitrust laws, it has a strong interest in seeing that these laws are interpreted consistently.

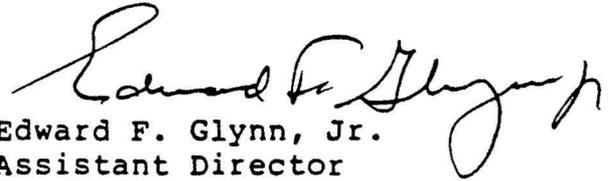
19 U.S.C. § 1337(b)(2), provides that "[d]uring the course of each investigation under this section, the Commission shall consult with, and seek advice and information from . . . the Federal Trade Commission and such other departments and agencies as it deems appropriate." Rather than waiting to comment on a decision rendered by the Administrative Law Judge, in our view the close cooperation between our two agencies mandated by Section 337(b)(2) would be best served by providing advice prior to the initial decision. Our interest is in advocating a

consistent application of the antitrust laws rather than in the specific factual details of this proceeding; thus, we do not wish to conduct any discovery of our own in this case.

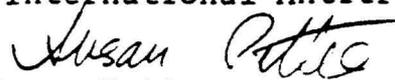
Respectfully submitted,



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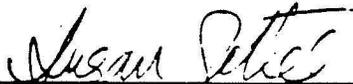


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CERTAIN ELECTRICALLY RESISTIVE MONOCOMPONENT TONER
Inv. No. 337-A-253

CERTIFICATE OF SERVICE

I, Susan Pettee, hereby certify that the attached motion was served upon Stephen L. Sulzer, Esq. and Steven Schwartz, Esq., and upon the following parties via first class mail, and air mail where necessary on December 22, 1986.



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