



COMMONWEALTH OF PENNSYLVANIA  
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April 27, 1990

The Honorable Thomas R. Caltagirone  
Chairman, House Judiciary Committee  
House of Representatives  
Commonwealth of Pennsylvania  
Room 214  
South Office Building  
Harrisburg, PA 17120



Dear Chairman Caltagirone:

By reason of earlier commitments not permitting me to be in Harrisburg, I am unable to testify at the House Judiciary Committee hearing April 30, 1990, on House Bill No. 2376 which would be known as the Pennsylvania Antitrust Act.

However, I wish to let you know of my strong support for a Pennsylvania antitrust statute. I commend you and other members of the House Judiciary Committee for your efforts to examine into the need for a Pennsylvania antitrust statute.

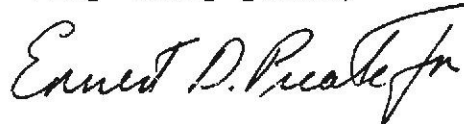
Pennsylvania does not have the subpoena power needed to investigate price-fixing and other trade restraints. Although the Commonwealth, through the Office of Attorney General, may now act in limited circumstances against price-fixing, unlawful mergers, and other restraints of trade, the legislature has not thus far provided the Office of Attorney General with the necessary investigative subpoena powers to secure the facts relevant to these trade restraints. Information which we have obtained for the cases we have brought was either voluntarily provided or publicly available. There have been many other matters in which the investigations strongly indicated price-fixing or other restraints of trade, but where we could not get the needed facts. Thus, the ability to investigate is a major reason to enact a Pennsylvania antitrust statute.

Competition, which encourages efficiency and low prices, is recognized by everyone as the keystone of this nation's economic strength -- and competition is the essence of what the antitrust laws require. It is my judgment that a State as large and as important as Pennsylvania should have the capacity to protect itself against unlawful efforts to subvert competition -- which only its own antitrust statute can provide.

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I hope my comments will assist in your deliberations. I support your efforts to enact a Pennsylvania Antitrust Act. Please let me know if in any way my office can supply you with further information you believe will be helpful.

Very truly yours,



Ernest D. Preate, Jr.  
Attorney General

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cc: The Honorable Gerard A. Kosinski  
The Honorable Kevin Blaum  
The Honorable Babette Josephs  
The Honorable Nicholas B. Moehlmann  
The Honorable Terrence F. McVerry  
The Honorable Lois Sherman Hagarty  
The Honorable Michael E. Bortner  
The Honorable Jerry Birmelin  
The Honorable Michael C. Gruitza  
The Honorable Richard Hayden  
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