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BEFORE THE OREGON PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION OF OREGON,

Complainant,

v.

VCI COMPANY f/k/a STAN EFFERDING and STANLEY JOHNSON d/b/a VILAIRE, and VCI COMPANY, a Washington corporation,

Defendants.

Docket No. UM1288
MOTION TO SET ASIDE DEFAULT
(ORAL ARGUMENT REQUESTED)

Pursuant to OAR 860-013-0070, defendants move to set aside the Default Order in the above-captioned case dated September 26, 2007. The Default Order was entered in error: only sixteen days (16) after the filing of the Complaint, and only thirteen (13) days after receipt of the Complaint by defendants' counsel. OAR 860-013-0050(1)(a) provides that defendants have twenty (20) days from service of a complaint to file an answer and there is no Commission or Administrative Law Judge Order shortening that time in this case. Furthermore, the Default Order was entered without notice or opportunity for the defendants to respond. Defendants have been represented by counsel and have appeared and participated in this matter since its inception over nine months ago. The Default Order represents improper *ex parte* action in violation of defendants' due process rights and a waist of judicial resources.

Counsel for defendants has conferred with counsel for the Commission who has agreed to confer with his client on whether to object to this Motion.

This Motion is supported by the Points and Authorities, below, and the Declaration of

1 William J. Ohle filed herewith. Defendants request the Commission set this matter for oral
2 argument.

3 POINTS AND AUTHORITES

4 1. Factual Background

5 On November 27, 2006, Staff moved to open this matter and investigate defendants'
6 billing practices. On December 1, 2006, defendants made their first appearance in this matter
7 and, through counsel, filed their objections to the investigation. *Declaration of William J. Ohle*,
8 ¶ 2, Exhibit A. The Commission opened the investigation, over defendants' objections, on
9 December 5, 2006. At that time, counsel representing the Public Utility Commission, David B.
10 Hatton, was in contact with the counsel for defendants, William J. Ohle, and the parties have
11 cooperated throughout the investigation. *Ohle Decl.*, ¶ 3. Specifically, counsels have conferred
12 on document production, subpoenas and the Protective Order. *Ohle Decl.*, ¶ 3. Prior to the filing
13 of the Complaint in this docket, the counsel conferred on the procedure going forward, the scope
14 of the claim, and the steps the parties anticipated taking in an attempt to resolve the claim. *Ohle*
15 *Decl.*, ¶ 3. In fact, it was anticipated that the Complaint would be filed earlier than
16 September 10, and that a meeting to discuss the substance and the allegations would be
17 scheduled after its filing. *Id.* Due to conflicting trial schedules and vacations in August and
18 early September 2007, the parties' counsels had difficulties reaching each other. *Ohle Decl.*, ¶ 4.

19 The Complaint was filed September 10, 2007, and electronically sent to defendants'
20 counsel that day. However, the Complaint included numerous confidential documents not
21 contained in the electronic documents, which were mailed to defendants' counsel and received
22 some three days later. *Ohle Decl.* ¶ 5. The total bulk of the Complaint, including Exhibits, is
23 over 100 pages and includes expert statistical and financial analysis. Defendants were in the
24 process of evaluating the allegations and the exhibits when the default was taken without notice
25 *Id.* The only other action in this case, prior to the Default Order, was a Motion to Admit Exhibits
26 on September 21, 2007.

1 At 4:30 p.m. on September 27, 2007, counsel for defendants' received, without any prior
2 notice or warning, a copy of the Default Order entered the day before by the Commission. *Ohle*
3 *Decl.* ¶ 6. The Commission's calendar does not show any public hearing scheduled for that day.
4 Defendants received no notice or opportunity to be heard on the issue of default. Defendants'
5 counsel immediately called and left a message with the Commission's counsel requesting an
6 explanation and they did talk and discuss the matter the next morning, but they have not yet
7 resolved the issues of setting aside the Default Order or the proper procedure applicable to taking
8 a default. *Id.*

9 Counsel for defendants relied on the Commission's regulations providing for twenty (20)
10 days to file an answer when scheduling when defendants needed to file their response to the
11 Complaint. *Decl.* ¶ 7. Counsel was completely taken by surprise that default was entered in less
12 than the twenty (20) days provided in the rules and that default would be allowed without notice
13 and *ex parte*. *Id.* Defendants have been seriously prejudiced and their due process rights
14 violated by not being provided the time to respond as stated in the rules and by not being given
15 prior notice of the intent to take a default. *Id.*

16 The Default Order and the lack of notice violate both the Commissions' rules and
17 defendants' fundamental due process rights and it must be set aside.

18 **2. Defendants Had Twenty Days to File Their Responsive Pleading**

19 OAR 860-013-0050 provides:

20 (1) Unless otherwise specified or directed by the Commission or Administrative
21 Law Judge, answers shall be filed as follows:

22 (a) An answer to a complaint, application or petition shall be filed within
23 20 days after service.

24 *Id.* There is no Commission or Administrative Law Judge Order in this docket shorting
25 the time to file an answer. The Commission rules also provide that the Oregon Rules of
26 Civil Procedure shall govern unless modified by Commission rules. OAR 860-011-0000.
ORCP 10 provides for the standard method of counting days for purposes of filing

1 deadlines. Thus, under ORCP 10 and the 20 days provided by OAR 860-013-0050(1)(a),
2 defendants had until October 3, 2007 to respond to the Complaint.¹

3 Upon conferring with counsel for the Commission, he stated that ORS 756.512 shortened
4 the time period to file an answer. While it would be strange that the Commission would adopt a
5 rule that directly contradicted a statute, the statute itself only dictates the *minimum time* the
6 Commission must allow for a party to answer. It does not restrict the Commission from allowing
7 more time, which is exactly what it did in the rule, OAR 860-013-0050(1)(a).

8 **756.512 Notice of complaint to defendant; responsive pleadings;**
9 **setting cause for hearing.** (1) The Public Utility Commission shall serve a copy
10 of the complaint upon the defendant, and shall give the defendant at least 10 days
11 within which to respond to the complaint. Within the time so fixed, or such
12 further time as the commission shall fix, the defendant shall file an answer to the
13 complaint, taking issue on such parts of the complaint as the defendant desires
14 and setting forth such additional matter as shall be pertinent to the matter in
15 controversy. Such additional matter shall be deemed denied without the filing of
16 any other pleading by the complainant. After the filing of the answer the
17 commission shall set the matter for hearing, giving the defendant at least 10 days'
18 written notice of the time and place of the hearing, unless the commission for
19 good reason stated in the notice, fixes a shorter time. Amendment of any answer
20 may be permitted by order of the commission.

21 Under any rational reading of the statute and rules, defendants had twenty (20) days to file
22 their answer and the Default Order was entered a week prior the expiration of that period.

23 Likewise, the Default Order admits Staff Exhibits 100 and 115 as requested in the
24 September 21, 2007, Motion. OAR 860-013-0050(3)(d) allows fifteen (15) days after service of
25 a motion to file a response. Defendants thus have until October 8, 2007, to file its Response to
26 the Motion to Admit Exhibits.

Therefore, given that the time to file an answer and the time to file a Response to the
Motion to Admit Exhibits has yet to expire, the Default Order is in error and it must be set aside.

¹ Since the Complaint contained substantive documents served only by mail, defendants
were allowed an additional three (3) days to respond under ORCP 10C. Regardless, even
without the extra three days, defendants' answer was not due until October 1, 2007.

1 **3. The Ex Parte Default Order Violated Defendants' Due Process Rights**

2 In addition to the Default Order being in direct contravention of the Commission's own
3 rules, the action of taking a default *ex parte* against a represented party and without prior notice
4 raises serious due process concerns. The Commission's rules provide that they "shall be
5 liberally construed to secure just, speedy, and inexpensive determination of the issues
6 presented." OAR 860-011-0000(5). The Commission also "discourages" *ex parte*
7 communications and allows a party ten (10) days to respond to such communication. OAR 860-
8 012-0015(1) and (7). Finally, ORCP 69(1) contains the "10-day" notice rule that provides for
9 the standard practice of giving at least ten (10) days written notice of an intent to file a default
10 against a represented party who has appeared in the case. Defendants, through counsel,
11 specifically appeared in this matter on December 1, 2006, when they filed their objections to the
12 opening of the investigation. *Ohle Decl.* ¶ 2, Exhibit A.

13 This is not a case where a party has completely failed to participate in a proceeding.
14 Even prior to the opening of the docket, defendants responded to data requests by Commission
15 Staff. *Ohle Decl.* ¶ 2, Exhibit A. Defendants specifically and in writing objected to the opening
16 of the investigation. *Id.* Counsel for defendants conferred with counsel for the Commission and
17 counsel for Quest on subpoenas, document production and the Protective Order lodged in this
18 case. *Ohle Decl.* ¶ 3. Counsel for defendants has been included on the service list since the
19 inception of this docket. *Ohle Decl.* ¶ 3. Under ORCP 69, ten (10) days written notice is
20 mandated before the taking of a default.²

21 There can be no question that all parties were aware that defendants were represented by
22 counsel, that the defendants had made an initial appearance in this matter on December 1, 2006,
23 and that defendants intended to answer the Complaint and defend their rights. There is

24 ² While ORS 756.512(2) and OAR 860-013-0055(1) provide that the Commission "*may*"
25 default a party without further notice, these provision do not contradict the additional notice
26 provisions provided by ORCP 69. Once defendants participated in this case, they were entitled
to 10 days written notice before the taking of a default.

1 absolutely no reason warranting a race to judgment in this case, the taking of action *ex parte*
2 without notice, or the shortening of time to file an answer. If there was any question on the
3 intent of defendants to appear and defend in this case, a simple phone call would have clarified
4 any confusion. *Ohle Decl.* ¶ 7. The Commission itself acknowledges that one of its goals is to
5 keep costs down. That is also one of the purposes of the 10-day notice rule in ORCP 69: that is,
6 to avoid the time and expense of processing a default, just to have it set aside. By taking a
7 backdoor default in this case, not only have defendants' due process rights been violated, the
8 basic tenants of the Commission have been unreasonably disregarded.

9 "An elementary and fundamental requirement of due process in any proceeding which is
10 to be accorded finality is notice reasonably calculated, under all the circumstances, to apprise
11 interested parties of the pendency of the action and afford them an opportunity to present their
12 objections." *Mullan v. Central Hanover Bank & Trust Co.*, 339 U.S. 306, 314 (1950). Under the
13 total circumstances of this case, defendants have been denied their rights to meaningfully
14 participate and Default Order in this case must be set aside.

15 **4. Defendants Request the Assignment of an ALJ to Oversee Further Proceedings**
16 **and to Insure Fairness**

17 The failure to provide notice before seeking the default, the unilateral attempt to shorten
18 the time to respond, and the improper *ex parte* communications in this case is indicative of a bias
19 that has been displayed against defendants since a staff change occurred at the OTAP program in
20 mid-2006. *Ohle Decl.* ¶ 8. A history of this bias and the difficulties experienced by defendants
21 is provided in defendants Objections to the investigation filed on December 1, 2006. *Ohle Decl.*
22 ¶ 8, Exhibit A. Defendants are very concerned about their ability to receive a fair hearing in this
23 matter and request that an ALJ be assigned to oversee this case from this point forward to insure
24 that proper notices are given, that the *ex parte* rules are followed, and that the matter is
25 conducted fairly and impartially. *See* OAR 860-012-0035(2).
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5. Conclusion

For the reasons stated herein, the Default Order is not in compliance with the Commission's rules and was obtained without providing defendants due process. Thus, the Default Order and the admission of Exhibits 100 through 115 must be set aside and defendants must be allowed to answer and defend their rights. Further, an ALJ should be assigned to this matter to ensure fair treatment of defendants and avoid future irregularities.

Dated this 28th day of September, 2007.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: 

William J. Ohle, OSB #913866
wohle@schwabe.com
Facsimile: 503.796.2900
Of Attorneys for Defendant VCI

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BEFORE THE OREGON PUBLIC UTILITY COMMISSION

PUBLIC UTILITY COMMISSION OF OREGON,

Complainant,

v.

VCI COMPANY f/k/a STAN EFFERDING and STANLEY JOHNSON d/b/a VILAIRE, and VCI COMPANY, a Washington corporation,

Defendants.

Docket No. UM1288

DECLARATION OF WILLIAM J. OHLE IN SUPPORT OF MOTION TO SET ASIDE DEFAULT

I, William J. Ohle, under penalty of perjury, do hereby declare:

- 1. I am one of the attorneys representing defendants in the above-captioned matter.
- 2. On November 27, 2006, Staff moved to open this matter and investigate defendants' billing practices. On December 1, 2006, defendants made their first appearance in this matter and, through counsel, filed their Objections to the investigation. A true and correct copy of the Objection is attached hereto as Exhibit A.
- 3. The Commission opened the investigation, over defendants' objections, on December 5, 2006. At that time, counsel representing the Public Utility Commission, David B. Hatton, was in contact with the counsel for defendants, William J. Ohle, and the parties have cooperated throughout the investigation. Specifically, counsels have conferred on document production, subpoenas and the Protective Order. Prior to the filing of the Complaint in this docket, the counsel conferred on the procedure going forward, the scope of the claim, and the steps the parties anticipated taking in an attempt to resolve the claim. In fact, it was anticipated that the Complaint would be filed earlier than September 10, and that a meeting to discuss the

1 substance and the allegations would be scheduled after its filing. To the best of my knowledge, I
2 have been included on the service list in this docket since the inception of this docket.

3 4. I was involved in two federal court cases, the first scheduled for trial to begin July
4 31, 2007, and the second scheduled to begin August 21, 2007. In the middle of these scheduled
5 trials I exchanged voicemails with the Commission's counsel in which I informed counsel that I
6 had, in addition to the trials, a family vacation schedule for the first two weeks in September.
7 There was no indication during any of the conversations I had with counsel for the Commission
8 that the Commission would seek to expedite a default or would shorten the time to file an answer
9 to the Complaint when it was eventually filed.

10 5. The Complaint was filed September 10, 2007, and electronically sent to me that
11 day. However, the Complaint included numerous confidential documents not contained in the
12 electronic documents, which were mailed to me and received some three days later. The total
13 bulk of the Complaint, including Exhibits, is over 100 pages and includes expert statistical and
14 financial analysis. Defendants were in the process of evaluating the allegations and the exhibits
15 when the default was taken without notice.

16 6. At 4:30 p.m. on September 27, 2007, I received, without any prior notice or
17 warning, a copy of the Default Order entered the day before by the Commission. The
18 Commission's calendar does not show any public hearing scheduled for September 26, 2007. I
19 immediately called and left a message with the Commission's counsel requesting an explanation.
20 I was able to confer with counsel for the Commission on the morning of September 28, 2007,
21 and while he agreed to confer with his client about setting aside the Default Order, we were
22 unable to resolve the proper procedure applicable to taking a default.

23 7. If there was any question on the intent of defendants to appear and defend in this case,
24 a simple phone call to me would have clarified any confusion. I relied on the Commission's
25 regulations providing for twenty (20) days to file an answer to schedule when defendants needed
26 to file their response to the Complaint. I was completely taken by surprise that default was

1 entered in less than the twenty (20) days provided in the rules and that default would be allowed
2 without notice and *ex parte*. Defendants have been seriously prejudiced and their due process
3 rights violated by not being provided the time to respond as stated in the rules and by not being
4 given prior notice of the intent to take a default.

5 8. The failure to provide notice before seeking the default, the unilateral attempt to
6 shorten the time to respond, and the improper *ex parte* communications in this case is indicative
7 of a bias that has been displayed against defendants since a staff change occurred at the OTAP
8 program in mid-2006. A history of this bias is explained in defendants objections to the
9 investigation, Exhibit A hereto. Defendants are very concerned about their ability to receive a
10 fair hearing in this matter and request that an ALJ be assigned to oversee this case from this point
11 forward to insure that proper notices are given, that the *ex parte* rules are followed, and that the
12 matter is conducted fairly and impartially

13 9. I declare under penalty of perjury that the above is true and correct to the best of
14 my knowledge.

15 Dated this 28th day of September, 2007.

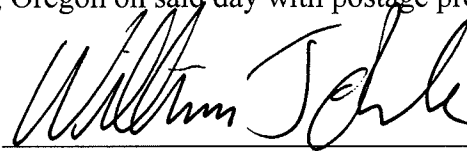
16 
17 _____
18 William J. Ohle

1 CERTIFICATE OF SERVICE

2 I hereby certify that on this 28th day of September, I served the foregoing
3 DECLARATION OF WILLIAM J. OHLE IN SUPPORT OF MOTION TO SET ASIDE
4 DEFAULT on the following party at the following address:

5 David B. Hatton
6 Assistant Attorney General
7 1162 Court Street NE
8 Salem, OR 97301-4096
9 David.Hatton@state.or.us

10 by electronic filing, emailing and mailing to him a true and correct copy thereof, certified by me
11 as such, placed in a sealed envelope addressed to him at the address set forth above, and
12 deposited in the U.S. Post Office at Portland, Oregon on said day with postage prepaid.

13 

14 William J. Ohle
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134300



SCHWABE, WILLIAMSON & WYATT
ATTORNEYS AT LAW

Pacwest Center, 1211 SW 5th Ave., Suite 1900, Portland, OR 97204 | Phone 503.222.9981 | Fax 503.796.2900 | www.schwabe.com

WILLIAM J. OHLE
Admitted in Oregon, Washington and the Northern Mariana Islands
Direct Line: (503) 796-2414
E-Mail: wohle@schwabe.com

December 1, 2006

VIA UPS NEXT DAY DELIVERY

Public Utility Commission of Oregon
550 Capitol Street, N.E. Suite 215
Salem, OR 97301-2551

Re: Vilaire Company Inc., dba VCI
Staff Recommendation to Open Investigation

Dear Commissioners:

VCI has received the staff report dated November 27, 2006, requesting that the Commission approve the opening of an investigation pursuant to ORS 756.515 into the billings, revenue and remittance reporting of VCI. The Commission is to consider this request at its December 5, 2006, meeting.

VCI wishes to state for the record its disagreement with the allegations in the November 27, 2006, staff report, and to register its opposition to such an investigation as unnecessary.

VCI has cooperated and fully responded to staff's request for information and the audits by the Oregon Telephone Assistance Program (OTAP) since it began operating under the program in December 2003. VCI has undergone extensive auditing by OTAP and if specific billing issues were identified, VCI explained them or corrected them if necessary.

VCI has provided explanations, more than once, for all of the specific issues raised by staff in the report and will do so again in an investigation should that occur. VCI has spent a great deal of time working with OTAP, which has recently gone through a complete change in personnel that has required VCI to revisit issues it believed were previously resolved. For example, with respect to the first issue of duplicate billings, OTAP audited VCI for 11 consecutive months and also conducted two annual audits. During each of these audits, VCI was found by OTAP to be within an acceptable margin of error, that being less than a 3 % of its total billings. The 1870 figure that staff now presents as indicative of a problem is a cumulative figure calculated over a period of some 18 months and does not represent a change in what OTAP previously found as being acceptable. Regardless, OTAP and VCI discussed duplicate

Portland, OR 503-222-9981 | Salem, OR 503-399-7712 | Bend, OR 541-749-4044
Seattle, WA 206-622-1711 | Vancouver, WA 360-694-7551 | Washington, DC 202-488-4302

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billing issues in February of 2006, VCI made changes to its system, and since then VCI has had an insignificant number, if any, duplicate billings. Furthermore, as for those duplicates previously identified, OTAP has been made whole.

The second audit noted by staff, which allegedly found 3093 ineligible customers for whom VCI had submitted billings, involved a completely different set of circumstances than the first audit noted by staff. It did not involve double billing, but whether certain customers qualified for benefits at all. These supposed "errors" resulted from a change in OTAP's manner of handling customers after OTAP changed personnel, not a change in VCI's operation. Many OTAP customers qualify for benefits because they receive food stamps. Many food stamp recipients do not renew their right to receive food stamps until after their current benefit period expires, at which time they renew and receive retroactive benefits. Because of the way DHS reported food stamp recipients to OTAP, it was causing a large number of OTAP eligible customers to be removed from the program, just to be later reinstated with retroactive benefits. OTAP, in early 2005, calculated that the reinstatement rate was some 98%. As a result, VCI met with former RSPF Manager Damara Paris in early 2005 and VCI was directed to not immediately terminate the benefits of those customers whose food stamp benefits, according to DHS, had expired, given that the vast majority of those customers remained OTAP eligible and would be entitled to retroactive benefits. Reconciliations occurred at yearly audits. VCI operated under this directive until recently when new OTAP personnel informed VCI that it would not be reimbursed for benefits to these customers and that OTAP had found that VCI was extending benefits to some 3093 "ineligible" customers. It is OTAP's responsibility, not VCI's responsibility, to verify a customer's eligibility, OAR 860-033-0030, and VCI believes it was in full compliance with OTAP's previous directive when extending benefits to these customers.

VCI is concerned that a formal investigation will be a significant waste of resources, not only on behalf of staff and VCI, but also the third parties to whom staff intends to subpoena. The prior audits have dealt with and resolved the specific issues of concern – that being minor double billings and certain customer eligibility. If there had been other concerns regarding billings in the past, the time to address them would have been during the previous audits. During the audits, VCI always strived to provide accurate information as requested, when requested. As VCI explained in its recent correspondence with Rick Willis and Vicki McLean, some of the information now sought – that being the historical line status of a customer as of any given day – could only be contemporaneously generated by VCI and OTAP did not request that information at a time when it could have been made available.

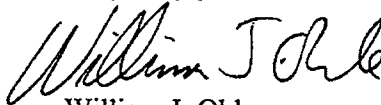
As staff notes in the report, VCI is a small carrier, having had at most 9000 customers in Oregon and now serving less than 750 customers in Oregon. Furthermore, given the problems it has experience in dealing with the program, VCI has reluctantly notified the Commission of its intent to withdraw from Oregon as of February 1, 2007. Whatever past billing errors staff thinks it may now discover through a formal investigation, subpoenas and the like, VCI believes that the resources could be more wisely spent, especially since staff has not identified what additional information it needs from VCI for which it needs a subpoena, what information it seeks from third-parties, what staff thinks it will find or how much staff thinks is at issue. VCI believes that staff's recommendation that an investigation be opened at this stage should be declined.



Public Utility Commission of Oregon
December 1, 2006
Page 3

VCI therefore requests that this letter be made part of the record in this proceeding and that its disagreement and concerns regarding the staff's request be duly noted. Thank you for your consideration.

Very truly yours,



William J. Ohle
Of Attorneys for VCI

cc: VCI
David Hatton, Oregon Department of Justice



Shipment Receipt

(Keep this for your records.)

Transaction Date 01 Dec 2006

Address Information

Ship To:

Public Utility Commission of Oregon
503-373-7394
550 Capitol Street, NE
No. 215
SALEM OR 97301-2529

Shipper:

Schwabe Williamson & Wyatt
William J. Ohle
503-796-2081
1211 SW 5th Ave
Suite 1600
PORTLAND OR 97204

Shipment Information

Service:

UPS Next Day Air
10:30 AM, Mon. 4 Dec. 2006

*Guaranteed By:

Quantum View Notify SM 1:
Delivery; Exception

cjackman@schwabe.com

Quantum View Notify SM 2:
Delivery; Exception

mlecoq@schwabe.com

E-mail Failure Notification:

cjackman@schwabe.com

Package Information

Package 1 of 1

Tracking Number: 1Z7881162595024014
Package Type: UPS Letter
Actual Weight: Letter
Billable Weight: Letter
Delivery Confirmation: Delivery Confirmation
c/m: 111002-134300

Billing Information

Bill Shipping Charges to: Shipper's Account 788116

All Shipping Charges in USD

* For delivery and guarantee information, see the UPS Service Guide. To speak to a customer service representative, call 1-800-PICK-UPS for domestic services and 1-800-782-7892 for International services.

Responsibility for Loss or Damage

Unless a greater value is recorded in the declared value field as appropriate for the UPS shipping system used, the shipper agrees that the released value of each package covered by this receipt is no greater than \$100, which is a reasonable value under the circumstances surrounding the transportation. If additional protection is desired, a shipper may increase UPS's limit of liability by declaring a higher value and paying an additional charge. UPS does not accept for transportation and shipper's requesting service through the Internet are prohibited from shipping packages with a value of more than \$50,000. The maximum liability per package assumed by UPS shall not exceed \$50,000, regardless of value in excess of the maximum. Claims not made within nine months after delivery of the package (sixty days for International shipments), or in the case of failure to make delivery, nine months after a reasonable time for delivery has elapsed (sixty days for international shipments), shall be deemed waived. The entry of a C.O.D. amount is not a declaration of value for carriage purposes. All checks or other negotiable instruments tendered in payment of C.O.D. will be accepted by UPS at shipper's risk. UPS shall not be liable for any special, incidental, or consequential damages. All shipments are subject to the terms and conditions contained in the UPS Tariff and the UPS Terms and Conditions of Service, which can be found at www.ups.com.

Jackman, Caren

From: QuantumView [QuantumViewNotify@ups.com]
Sent: Monday, December 04, 2006 11:20 AM
To: Jackman, Caren
Subject: UPS Delivery Notification, Tracking Number 1Z7881162595024014

***Do not reply to this e-mail. UPS and Schwabe Williamson & Wyatt will not receive your reply.

At the request of Schwabe Williamson & Wyatt, this notice is to confirm that the following shipment has been delivered.

Important Delivery Information

Delivery Date / Time: 04-December-2006 / 10:03 AM
Delivery Location: MAIL ROOM
Signed by: OLIVAS

Shipment Detail

Ship To:
Public Utility Commission of Oregon
550 Capitol Street, NE
No. 215
SALEM
OR
973012529
US

UPS Service: NEXT DAY AIR
Shipment Type: Letter

Tracking Number: 1Z7881162595024014
Reference Number 1: 111002-134300

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