

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

UM 1288

PUBLIC UTILITY COMMISSION OF	)
OREGON,	)
	)
Complainant,	)
	)
v.	)
	)
VCI COMPANY f/k/a STAN	)
EFFERDING and STANLEY JOHNSON,	)
dba VILAIRE, and VCI COMPANY, a	)
Washington corporation,	)
	)
Defendants.	)

RULING

**DISPOSITION: MOTION FOR LEAVE TO FILE  
RESPONSE GRANTED**

On November 28, 2007, the Public Utility Commission of Oregon (Commission) moved for leave (Motion) to file a Response to Defendants’ Reply in Support of its Motion for Disclosure of Ex Parte Communications. The Commission explained that VCI Company f/k/a Stan Efferding and Stanley Johnson d/b/a Vilare (Defendants) had newly addressed relevant provisions of the Commission’s *ex parte* and default rules in the Reply in Support of its Motion for Disclosure of Ex Parte Communications. On November 29, 2007, Defendants indicated no opposition to the Motion, so long as any response was limited to the issue identified in the Motion. Defendants identified the issue as being “whether the communications at issue related to the merits of the case.”

As the Commission does not have a specific rule that permits or denies a party the opportunity to file replies or responses beyond the first round, it is a matter of discretion whether or not to allow such. As Defendants do not oppose Complainant’s request to file a response, to the extent that the response is limited to the issues identified in the Motion, I find it appropriate to allow the response. However, I clarify that Complainant may address all of the rules identified in the Motion, and not just OAR 860-012-0015(2)(b). Complainant may file a response within seven days of the date of this ruling.

Dated this 3<sup>rd</sup> day of December, 2007, at Salem, Oregon.

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Traci A. G. Kirkpatrick  
Administrative Law Judge