

**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 REPLIES
PARTIALLY GRANTED**

On November 7, 2007, VCI Company f/k/a Stan Efferding and Stanley Johnson, dba Vilare, and VCI Company (VCI or Defendants) filed a Motion for Leave to File Replies (Motion for Leave) in support of their Motion to Vacate Default Order and to Dismiss Claim and their Motion for Disclosure of Ex Parte Communications. On November 8, 2007, the Public Utility Commission of Oregon (Commission) filed a Response to Defendant’s Motion for Leave. The Commission opposes leave being granted, arguing that VCI seeks to address matters that could have, and should have, been initially discussed in the motions.

Ruling

As the Commission does not have a specific rule that permits or denies a party the opportunity to reply to the response to that party’s motion, it is a matter of discretion whether or not to permit a reply. Because the fundamental issue now in contention concerns the ability of a party to be properly heard, I find it appropriate to err on the side of allowing the requested reply. Defendants may file a reply within seven days of the date of this ruling.

Dated this 15th day of November, 2007, at Salem, Oregon.

Traci A. G. Kirkpatrick
Administrative Law Judge