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IN THE COURT OF APPEALS OF THE STATE OF OREGON

PUBLIC UTILITY COMMISSION OF OREGON,

Respondent,

v.

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

Petitioners.

PUBLIC UTILITY COMMISSION OF OREGON

No. UM 1288

CA A _____

PETITION FOR JUDICIAL REVIEW

Petitioners seek judicial review of the Oregon Public Utility Commission’s May 4, 2011, denial of Petitioners’ (1) Motion to Set Aside Default, (2) Objections to the Admission of Pre-Filed Exhibits, (3) Motion to Vacate Default Order and To Dismiss Claim, and (4) Motion for Disclosure of Ex Parte Communications, in Docket No. UM 1288.

The parties to this review are:

Petitioners:

VCI Company;
Stan Efferding;
Stanley Johnson;
Vilaire; and
VCI Company

Respondents:

Oregon Public Utility Commission

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Counsel for Petitioners:

William J. Ohle, OSB #913866
whole@schwabe.com
Schwabe, Williamson & Wyatt
1211 SW Fifth Ave., Suite 1600
Portland, OR 97204

Counsel for Respondents:

David B. Hatton, OSB #75151
David.hatton@doj.state.us
Carolyn G. Wade, OSB #832120
Carolyn.g.wade@doj.state.or.us
Assistant Attorney General
1162 Court Street NE
Salem, OR 97301-4096

A. Attached to this Petition is a copy of the May 4, 2011, Notice Closing File
“Without Order” and without ruling on petitioners’ pending motions, thus denying the motions,
subject of this appeal.

B. Petitioners were a party to the administrative proceeding which resulted in the
order for which review is sought.

C. Petitioners are not willing to stipulate that the agency record may be shortened.

Dated this 23 day of May, 2011.

SCHWABE, WILLIAMSON & WYATT, P.C.

By: 

William J. Ohle, OSB #913866
whole@schwabe.com
Facsimile: 503.796.2900
Of Attorneys for VCI COMPANY f/k/a
STAN EFFERDING and STANLEY
JOHNSON d/b/a VILAIRE, and VCI
COMPANY, a Washington corporation

CERTIFICATE OF SERVICE

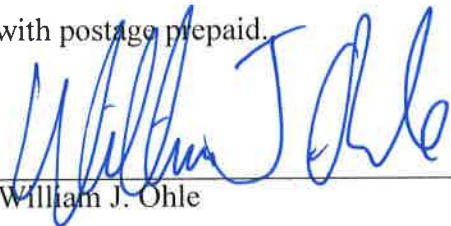
I hereby certify that on this 23rd day of May, 2011, I served the foregoing PETITION FOR JUDICIAL REVIEW on the following party at the following address:

David B. Hatton
David.Hatton@state.or.us
Carolyn G. Wade
Carolyn.g.wade@doj.state.or.us
Assistant Attorney General
1162 Court Street NE
Salem, OR 97301-4096
Attorney for the Public Utility
Commission of Oregon

John Kroger (*via U.S. Mail only*)
Oregon Attorney General
Department of Justice
1162 Court Street NE
Salem OR, 97301

Carol Hulse
Carol.hulse@state.or.us
Oregon Public Utility Commission
550 Capitol St NE #215
PO Box 2148
Salem, OR 97308-2148

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



William J. Ohle

CERTIFICATE OF SERVICE

SCHWABE, WILLIAMSON & WYATT, P.C.
Attorneys at Law
Pacwest Center
1211 SW 5th Ave., Suite 1900
Portland, OR 97204
503.222.9981


CERTIFICATE OF FILING

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I hereby certify that on this 23rd day of May, 2011, I filed the original of the
PETITION FOR JUDICIAL REVIEW with the State Court Administrator at this address:

State Court Administrator
1163 State Street
Salem, OR 97301-2563

by UPS Overnight Delivery.



William J. Ohle

Ohle, William

From: HULSE Carol [carol.hulse@state.or.us]

Sent: Thursday, May 05, 2011 1:34 PM

To: HATTON David; POSTON David; CRAY Jon W.; MARINOS Kay; WILLIS Rick; Ohle, William

Subject: UM 1288 PUBLIC UTILITY COMPANY OF OREGON VS VCI COMPANY

Docket UM 1288 (In the Matter of the Complaint of PUBLIC UTILITY COMMISSION OF OREGON against VCI COMPANY f/k/a STAN EFFERDING and STANLEY JOHNSON, dba VILAIRE, and VCI COMPANY, a Washington corporation, Pursuant to ORS 756.500) is CLOSED without an Order.

Carol Hulse

Legal Secretary

Administrative Hearings Division

Public Utility Commission of Oregon

Email: carol.hulse@state.or.us

Ph: 503-378-3885