1	BEFORE THE PUBLIC UTILITY COMMISSION CELVED		
2	OF O	REGON 7115 127 - 5 P 1: 12	
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4	PUBLIC UTILITY COMMISSION OF OREGON,		
5	Complainant,	STIPULATION FOR ENTRY OF ORDER	
6	V,		
7	DAN HEADDING,		
8	,		
9	Defendant.		
10	The Public Utility Commission of Oregon, appearing by and through Johanna M.		
11	Riemenschneider, Assistant Attorney General, and Dan Headding, the Defendant herein, hereby		
12	stipulate as follows:		
13	1.		
14	A Complaint in this case is pending before the Commission charging the Defendant with		
15	one violation of law, OAR 952-001-0050.		
16	2.		
17	Both parties to this proceeding are willing to forego further processing of that Complain		
18	and further are willing to resolve this matter on the basis of this Stipulation.		
19	3.		
20	The Defendant admits that the violation was committed as alleged in the Complaint and		
21	is willing for the Commission to enter an order finding that the violation was committed as		
22	alleged in the Complaint.		
23			
24	/// // // // // // // // // // // // //	· .	
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26	///		
Page	1 - STIPULATION FOR ENTRY OF ORDER (NC 340)		

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JMR:kt2/DM6350244

4.

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2	The parties further agree that the Commission may enter an order assessing civil	
3	monetary penalties against Defendant in the amount of \$1,000 under the following terms and	
4	conditions:	
5	A. Defendant must sign and return this Stipulation within 20 days of the date it was	
6	served upon (mailed to) Defendant.	
7	B. \$200 becomes due and payable on or before the 30 th day following the Commission	
8	entry of its order in this case.	
9	C. Payment must be by money order made out to the Public Utility Commission of	
10	Oregon, and the memo line of the money order must state the "NC" docket number	
11	in the caption of this Stipulation.	
12	D. Payment of the balance of the penalties (\$800) will be permanently suspended and	
13	further penalties will be imposed for the violation alleged in the Complaint unless	
14	Defendant fails to comply with all of the terms of this Stipulation and all of the rule	
15	adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for	
16	one-year period following the date of the Commission's entry of an order.	
17	E. Defendant must contact the OUNC Speakers Bureau online at	
18	www.digsafelyoregon.com or by calling (503) 232-1987 to arrange for and attend a	
19	training session on Oregon excavation laws within 45 days following the entry of the	
20	Commission's order.	
21	F. In the event that Complainant contends that Defendant has not complied with all of	
22	the terms of this Stipulation and all OUNC rules for that one-year period,	
23	Complainant may reopen this proceeding and petition for imposition of all or a	
24	portion of the suspended penalties. In such case, Defendant is entitled to a hearing	

not occurred.

and to be notified of the basis upon which Complainant contends that compliance has

1	G. Complainant's failure to enforce any provision of this Stipulation, or decision to	
2	waive any violation or nonperformance of this Stipulation in one instance, will not	
3	constitute a waiver by the Complainant of that provision, any other provision, or an	
4	other violation or nonperformance in another instance.	
5	5.	
6	This Stipulation is conditioned upon final approval of its terms by the Commission. If	
7	the Stipulation is not accepted in its entirety, it is deemed withdrawn.	
8	et.	
9	DATED this 19 th day of March 2015.	
10		
11	Johanne M. Biomongolynoiden #000082	
12	Johanna M. Riemenschneider, #990083 Senior Assistant Attorney General	
13	Of Attorneys for the Public Utility Commission of Oregon	
14		
15	DATED this / day of Area (2015.	
16		
17	Defendant / Representative (signature)	
18		
19	(Print Name)	
20	(Time readile)	
21		
22		
23		
24		
25		
26		