

1                                   **BEFORE THE PUBLIC UTILITY COMMISSION**  
2   **OF OREGON**

3   NC 345

4 PUBLIC UTILITY COMMISSION OF  
OREGON,

5                                   Complainant,

6                                   v.

7 CENTERLINE AG SERVICES, INC.  
8 (An Oregon Corporation)

9                                   Defendant.

STIPULATION FOR ENTRY OF ORDER

10                   The Public Utility Commission of Oregon, appearing by and through Johanna M.  
11 Riemenschneider, Assistant Attorney General, and Centerline AG Services, Inc., the Defendant  
12 herein, hereby 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 Complaint  
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.

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1 4.

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. Payment of the penalties (\$1,000) will be suspended and no further penalties will be  
8 imposed for the violation alleged in the Complaint unless Defendant fails to comply  
9 with all of the terms of this Stipulation and all of the rules adopted by the Oregon  
10 Utility Notification Center (OUNC) under ORS 757.552 for a one-year period  
11 following the date of the Commission's entry of an order.
- 12 C. Defendant must contact the OUNC Speakers Bureau online at  
13 [www.digsafelyoregon.com](http://www.digsafelyoregon.com) or by calling **(503) 232-1987** to arrange for and attend a  
14 training session on Oregon excavation laws within 45 days following the entry of the  
15 Commission's order.
- 16 D. Defendant must contact Andrew Holbrook, operations manager at Kinder Morgan,  
17 Inc., by email at [Andrew\\_Holbrook@kindermorgan.com](mailto:Andrew_Holbrook@kindermorgan.com) or by calling **503-220-1257**  
18 and arrange and attend a training provided by that company on excavation safety  
19 within 45 days following the entry of the Commission's Order.
- 20 E. In the event that Complainant contends that Defendant has not complied with all of  
21 the terms of this Stipulation and all OUNC rules for that one-year period,  
22 Complainant may reopen this proceeding and petition for imposition of all or a  
23 portion of the suspended penalties. In such case, Defendant is entitled to a hearing  
24 and to be notified of the basis upon which Complainant contends that compliance has  
25 not occurred.

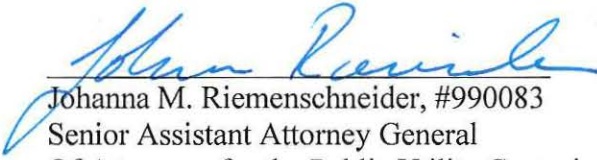
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1 F. Complainant's failure to enforce any provision of this Stipulation, or decision to  
2 waive any violation or nonperformance of this Stipulation in one instance, will not  
3 constitute a waiver by the Complainant of that provision, any other provision, or any  
4 other violation or nonperformance in another instance.

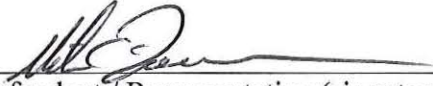
5 5.

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  
9 DATED this 21 day of January, 2016.

10  
11   
12 Johanna M. Riemenschneider, #990083  
13 Senior Assistant Attorney General  
14 Of Attorneys for the Public Utility Commission  
of Oregon

15 DATED this 3 day of Feb., 2016.

16  
17   
18 Defendant / Representative (signature)

19 Michael C. Danner  
20 (Print Name)