

1 4.

2 The parties further agree that the Commission may enter an order assessing a civil
3 monetary penalty 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 30th day following the Commission's
8 entry of its order in this case.
- 9 C. Payment must be by cashier's check or money order made out to the Public Utility
10 Commission of Oregon, and the memo line of the money order must state the "NC
11 350" docket number in the caption of this Stipulation.
- 12 D. Payment of the balance of the penalty (\$800) will be permanently suspended and no
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 rules
15 adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a
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 a training
19 session on Oregon excavation laws within 45 days following the entry of the
20 Commission's order. All employees of Defendant that perform excavation work must
21 attend a training session.
- 22 F. Defendant must also contact Bill Walker at Cascade Natural Gas (CNG) by email
23 William.Walker@cngc.com or by calling (541) 706-6290 to arrange for and attend an
24 operator safety presentation provided by CNG within 45 days following the entry of
25 the Commission's order. All employees of Defendant that perform excavation work
26 must attend a safety presentation from CNG.

1 G. Defendant must take a blank copy of the Training Verification Form attached to this
2 Stipulation as Attachment 1 to all required trainings under Paragraphs 4.E and 4.F
3 above. Each individual attending training must sign the form to verify attendance. A
4 representative of the organization providing the training (Instructor) must sign the
5 Training Verification Form that the training is complete with respect to the
6 individuals listed on the Training Verification Form for the form to be complete.
7 Defendant shall return all completed Training Verification Forms to Complainant at
8 the address on the Form within 10 days of date of the last training session and in no
9 event no later than 55 days following the date of the Commission's entry of an order
10 in this docket.

11 H. In the event that Complainant contends that Defendant has not complied with all of
12 the terms of this Stipulation and all OUNC rules for that one-year period,
13 Complainant may reopen this proceeding and petition for imposition of all or a
14 portion of the suspended penalty. In such case, Defendant is entitled to a hearing and
15 to be notified of the basis upon which Complainant contends that compliance has not
16 occurred.

17 I. Complainant's failure to enforce any provision of this Stipulation, or decision to
18 waive any violation or nonperformance of this Stipulation in one instance, will not
19 constitute a waiver by the Complainant of that provision, any other provision, or any
20 other violation or nonperformance in another instance.

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This Stipulation is conditioned upon final approval of its terms by the Commission. If the Stipulation is not accepted in its entirety, it is deemed withdrawn.

DATED this 22 day of April, 2016.



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

DATED this 2ND day of ^{MAY}~~April~~, 2016.



Defendant / Representative (signature)

GABE W. SHEERER

(Print Name)