1	BEFORE THE PUBLIC UTILITY COMMISSION				
2	OF OREGON				
3	NC 360				
4	PUBLIC UTILITY COMMISSION OF OREGON,				
5	Complainant,	STIPULATION FOR ENTRY OF FINAL			
6	v.	ORDER			
7 8	MILLSITE MANAGEMENT COMPANY dba MILLSITE LANDSCAPE SERVICES,				
9	Defendant.				
10	The Public Utility Commission of Oregon, appearing by and through Johanna M.				
11	Riemenschneider, Sr. Assistant Attorney General, and Millsite Management Company, the				
12	defendant 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 952-001-0090(2)(c).				
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.				
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1		4.
2	The	e parties further agree that the Commission may enter an order assessing civil
3	monetary p	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 <sup>th</sup> day following the Commission's
8		entry of its order in this case.
9	C.	Payment must be by <u>cashier's check</u> or <u>money order</u> made out to the <u>Public Utility</u>
10		Commission of Oregon, and the memo line of the money order must state the "NC
11		360" docket number in the caption of this Stipulation.
12	D.	Payment of the balance of the penalties (\$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 and attend a
19		training 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

must attend a safety presentation from CNG.

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the Commission's order. All employees of Defendant that perform excavation work

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 individuals
6			listed on the Training Verification form for the form to be complete. Defendant shall
7			return all completed Training Verification forms to Complainant at the address on the
8			form within 10 days of date of the last training session and in no event no later than
9			55 days following the date of the Commission's entry of an order in this docket.
10		Н.	In the event that Complainant contends that Defendant has not complied with all of
11			the terms of this Stipulation and all OUNC rules for that one-year period,
12			Complainant may reopen this proceeding and petition for imposition of all or a
13			portion of the suspended penalties. In such case, Defendant is entitled to a notice and
14			hearing on the basis upon which Complainant contends that compliance has not
15			occurred.
16		I.	Complainant's failure to enforce any provision of this Stipulation, or decision to
17			waive any violation or nonperformance of this Stipulation in one instance, will not
18			constitute a waiver by the Complainant of that provision, any other provision, or any
19			other violation or nonperformance in another instance.
20	///		
21	///		
22	///		
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## **Oregon Public Utility Commission** Public Utility Commission Training Verification

Docket NC 360

Instructions:										
<ul><li>Defendant:</li></ul>										
	<ul> <li>Schedule training(s) outlined in Stipulation</li> </ul>									
<ul> <li>Complete the Training Verification form on the day of the training</li> <li>All attendees must print and sign their name on the Training Verification form</li> <li>Have instructor date and sign the Training Verification form upon completion of training</li> </ul>										
						o Defendant must mail completed Training Verification form to the address below (retain a copy				
						for your records)				
• Instructor:										
Date and sign the Training Verification form upon completion of training										
To a fitting in the fitting of the state of										
Type of Training: (To be filled out by the instructor)										
OUNC – Oregon Excavation Laws Degrator Safety Presentation Other:										
Instructor Print Name:										
Instructor Print Name:	- The second sec									
Instructor Signature:	Date:									
Name (Printed)	Name (Signed)									
ANUL										
444										

Mail Completed form to:

**Public Utility Commission of Oregon Administrative Hearings Division** 201 High St. SE, Ste. 100 PO Box 1088 Salem OR 97308-1088