

The parties further agree that the Commission may enter an order assessing a civil monetary penalty against Defendant in the amount of \$1,000 under the following terms and conditions:

- A. Defendant must sign and return this Stipulation within 20 days of the date it was served upon (mailed to) Defendant.
- B. Payment of the penalty (\$1,000) is suspended and will be waived with no further penalties imposed for the violation alleged in the Complaint unless Defendant fails to comply with all of the terms of this Stipulation and all of the rules adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a one-year period following the date of the Commission’s entry of an order.
- C. Defendant must provide the Commission with a plan or procedure (policy) that identifies the company’s workflow process for giving notice of proposed excavations to the Oregon Utility Notification Center (OUNC) within 60 days following the Order. The policy must include but is not limited to the following:
 - 1) Describe the purpose of the policy and commitment thereof by leadership, management, and employees;
 - 2) Identify conditions and types of work that require a 48 hour notice, design notice and emergency notification to the OUNC;
 - 3) Identify tasks assigned to participants by title or position and their roles and responsibilities in the workflow process;
 - 4) Identify technology or systems used throughout the policy that enables the completion of tasks; and
 - 5) Establish criteria for periodic review of the effectiveness of this policy and identify best practices for its implementation.

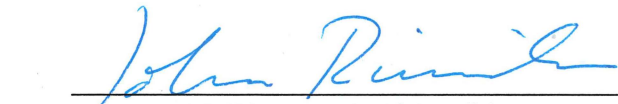
1 D. In the event that Complainant contends that Defendant has not complied with all of
2 the terms of this Stipulation and all OUNC rules for that one-year period,
3 Complainant may reopen this proceeding and petition for imposition of all or a
4 portion of the suspended penalty. In such case, Defendant is entitled to a notice and
5 hearing on the basis upon which Complainant contends that compliance has not
6 occurred.

7 E. Complainant's failure to enforce any provision of this Stipulation, or decision to
8 waive any violation or nonperformance of this Stipulation in one instance, will not
9 constitute a waiver by the Complainant of that provision, any other provision, or any
10 other violation or nonperformance in another instance.

11 5.

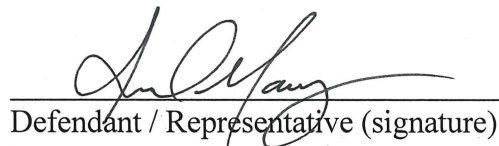
12 This Stipulation is conditioned upon final approval of its terms by the Commission. If
13 the Stipulation is not accepted in its entirety, it is deemed withdrawn.

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15 DATED this 9th day of January 2018.

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

21 DATED this 25th day of January 2018.

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23 
24 Defendant / Representative (signature)

25 Fred Macy
26 (Print Name)