

ORDER NO. 17 464

ENTERED NOV 13 2017

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

NC 378

PUBLIC UTILITY COMMISSION OF  
OREGON,

Complainant,

v.

ASTOUND BROADBAND, LLC,

Defendant.

ORDER

**DISPOSITION: STIPULATION ADOPTED**

On September 29, 2017, the Public Utility Commission of Oregon filed a complaint against defendant. The complaint charged defendant with one violation of law, OAR 952-001-0080, and requested a penalty of \$1,000. On September 29, 2017, a copy of the complaint was served.

On October 5, 2017, the parties in these proceedings entered into a stipulation, which is attached as Appendix A.

Under the terms of the stipulation, defendant admits committing the alleged violation and agrees that the Commission may enter an order assessing civil monetary penalties.

The parties further agree that the penalties should be suspended, unless defendant fails to comply with any provision of the stipulation or violates any rule adopted by the Oregon Utility Notification Center under ORS 757.552 for a period of one year following the date of the Commission's final order in these proceedings.

The stipulation is adopted. From the foregoing, it is concluded that no hearing is required. Under the terms of the stipulation, the allegations of the complaint are true, and defendant has violated Oregon Administrative Rule as alleged. Under the provisions of ORS 757.993, penalties should be assessed against defendant under the terms and conditions of the stipulation.

**ORDER**

IT IS ORDERED that:

1. The stipulation, attached as Appendix A, is adopted.
2. Civil monetary penalties shall be assessed against Astound Broadband, LLC, in the amount of \$1,000 for one violation of law.
3. Payment of the balance of the penalties (\$1,000) shall be suspended, unless a showing is made that defendant has violated, within one year] of the date of this order, any rules administered by the Oregon Utility Notification Center.

Made, entered, and effective NOV 13 2017.



*Jason Eisdorfer*  
**Jason Eisdorfer**  
Director  
Utility Program

A party may request rehearing or reconsideration of this order under ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-001-0720. A copy of the request must also be served on each party to the proceedings as provided in OAR 860-001-0180(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480 through 183.484.

BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

NC 378

PUBLIC UTILITY COMMISSION OF  
OREGON,

Complainant,

v.

ASTOUND BROADBAND, LLC,

Defendant.

STIPULATION FOR ENTRY OF FINAL  
ORDER

The Public Utility Commission of Oregon, appearing by and through Johanna M.  
Riemenschneider, Assistant Attorney General, and Astound Broadband, LLC, the Defendant  
herein, hereby stipulate as follows:

1.

A Complaint in this case is pending before the Commission charging the Defendant with  
one violation of law, OAR 952-001-0080.

2.

Both parties to this proceeding are willing to forego further processing of that Complaint  
and further are willing to resolve this matter on the basis of this Stipulation.

3.

The Defendant admits that the violation was committed as alleged in the Complaint and  
is willing for the Commission to enter an order finding that the violation was committed as  
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 the Defendant in the amount of \$1,000 under the following terms and  
4 conditions:

5 A. Defendant shall sign and return this Stipulation within 20 days of the date it was served  
6 upon (mailed to) Defendant.

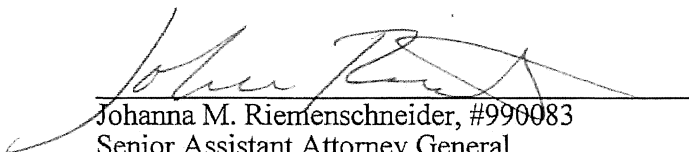
7 B. Payment of the penalty (\$1,000) is suspended and the penalty shall be waived with no  
8 further penalties imposed for the violation alleged in the Complaint unless Defendant  
9 fails to comply with all of the terms of this Stipulation and all of the rules adopted by the  
10 Oregon Utility Notification 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. In the event that complainant contends that the Defendant has not complied with all of  
13 the terms of this Stipulation and all OUNC rules for that one year period, complainant  
14 may reopen this proceeding and petition for imposition of all or a portion of the  
15 suspended penalties. In such case Defendant shall be entitled to a hearing and to be  
16 notified of the basis upon which complainant contends that compliance has not occurred.

17 5.

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

20 DATED this 29<sup>th</sup> day of September 2017.


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

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DATED this 5<sup>th</sup> day of October 2017.

  
Representative for Defendant (signature)

James A. Penney  
(Print name) General Counsel  
of Astound Broadband, LLC