

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 342

PUBLIC UTILITY COMMISSION OF
OREGON,

Complainant,

v.

FRANK R. NORRIS CONTRACTING, INC.,
(an Oregon corporation),

Defendant.

STIPULATION FOR ENTRY OF ORDER

The Public Utility Commission of Oregon, appearing by and through Johanna M. Riemenschneider, Assistant Attorney General, and Frank R. Norris Contracting, Inc., the Defendant herein, hereby stipulate as follows:

1.

A Complaint in this case is pending before the Commission charging the Defendant with two violations of law, OAR 952-001-0050(1), and OAR 952-001-0090(4).

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 violations were committed as alleged in the Complaint and is willing for the Commission to enter an order finding that the violations were 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 Defendant in the amount of \$2,000 under the following terms and
4 conditions:

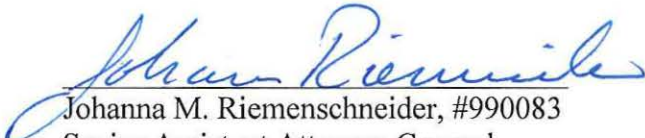
- 5 A. Defendant must sign and return this Stipulation within 20 days of the date it was
6 served upon (mailed to) Defendant.
- 7 B. \$400 becomes due and payable on or before the 30th day following the Commission's
8 entry of its order in this case.
- 9 C. Payment must be by **money order** made out to the **Public Utility Commission of**
10 **Oregon**, and the memo line of the money order must state the "NC" docket number
11 in the caption of this Stipulation.
- 12 D. Payment of the balance of the penalties (\$1,600) will be suspended and no further
13 penalties will be imposed for the violation alleged in the Complaint unless Defendant
14 fails to comply with all of the terms of this Stipulation and all of the rules adopted by
15 the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a one-year
16 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.
- 21 F. In the event that Complainant contends that Defendant has not complied with all of
22 the terms of this Stipulation and all OUNC rules for that one-year period,
23 Complainant may reopen this proceeding and petition for imposition of all or a
24 portion of the suspended penalties. In such case, Defendant is entitled to a hearing
25 and to be notified of the basis upon which Complainant contends that compliance has
26 not occurred.

1 G. 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.

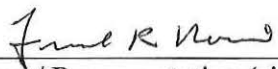
5 5.

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 31 day of December 2015.

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

15 DATED this 20 day of January 2015.

16
17 
18 Defendant / Representative (signature)

19 Frank R. Norris
20 (Print Name)