



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 \$1,000 under the following terms and  
4 conditions:

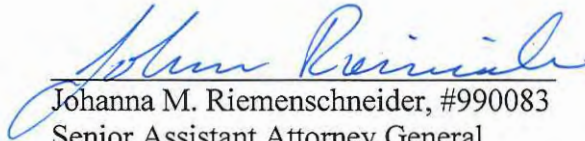
- 5 A. Defendant must sign and return this Stipulation within 20 days of the date it was  
6 served upon (mailed to) Defendant.
- 7 B. \$200 becomes due and payable on or before the 30<sup>th</sup> day following the Commission's  
8 entry of its order in this case.
- 9 C. Payment must be by **money order** 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 penalty (\$800) 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](http://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.

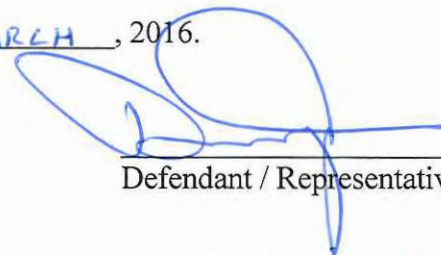
5 5.

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 16<sup>th</sup> day of March, 2016.

10  
11   
12 Johanna M. Riemenschneider, #990083  
13 Senior Assistant Attorney General  
14 Of Attorneys for the Public Utility Commission  
of Oregon

15 DATED this 21 day of MARCH, 2016.

16  
17   
18 Defendant / Representative (signature)

19 DANA OPPENLANDER  
20 (Print Name)