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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 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 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 or by calling (503) 232-1987 to arrange for and attend a
19 training session for Steve Gaschler on Oregon excavation laws within 45 days
20 following the entry of the 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7 the Stipulation is not accepted in its entirety, it is deemed withdrawn.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 16th 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 23 day of MARCH, 2016.

16
17 
18 Defendant / Representative (signature)

19 STEVE GASCHLER
20 (Print Name)