

1 4.

2 The parties further agree that the Commission may enter an order assessing a civil
3 monetary penalty 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. Payment of the civil penalty (\$1,000) is suspended and will be waived with no further
8 penalties imposed for the violation alleged in the complaint unless Defendant fails to
9 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. Unless Defendant has already done so, Defendant must contact Cascade Natural Gas
13 (CNG) by email cody.cox@cngc.com or by calling **(541) 706-6281** and arrange for
14 and ensure that all of Defendant's employees that engage in excavation activity as a
15 part of their job duties attend an operator safety presentation provided by CNG within
16 45 days following the entry of a final order.
- 17 D. Defendant must take a blank copy of the Training Verification form attached to this
18 Stipulation as Attachment 1 to document all required trainings scheduled under
19 paragraph 4.C. above. Defendant must ensure that all of its employees attending a
20 required training sign a Training Verification form to verify attendance. A
21 representative of the organization providing the training (Instructor) must sign the
22 Training Verification form to verify each person listed on the form completed the
23 training. Defendant must return all completed Training Verification forms to
24 Complainant at the address on the Form within 10 days of the date of the last training
25 session and in no event later than 55 days following the date of the Commission's
26 entry of an order in this docket.

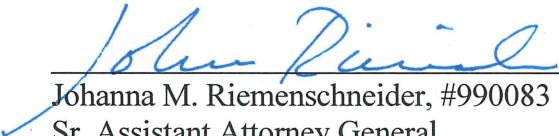
1 E. In the event that Complainant contends that Defendant has not complied with all of
2 the terms of this Stipulation and all OUNC rules for that one-year period,
3 Complainant may reopen this proceeding and petition for imposition of all or a
4 portion of the suspended penalties. In such case, Defendant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

7 F. 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.

14
15 DATED this 26 day of March 2019.

16
17 
18 Johanna M. Riemenschneider, #990083
19 Sr. Assistant Attorney General
20 Of Attorneys for the Public Utility Commission
21 of Oregon

22 DATED this 3 day of APRIL 2019.

23 
24 Representative for Defendant (signature)

25 GABE W. SHEERER
26 (Print name)