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4.

The parties further agree that the Commission may enter an order assessing civil monetary penalties against Defendant in the amount of \$1,000 under the following terms and conditions:

- A. Defendant must sign and return this Stipulation within 20 days of the date it was served upon (mailed to) Defendant.
- B. \$200 becomes due and payable on or before the 30<sup>th</sup> day following the Commission's entry of its order in this case.
- C. Payment must be by money order made out to the Public Utility Commission of Oregon, and the memo line of the money order must state the "NC" docket number in the caption of this Stipulation.
- D. Payment of the balance (\$800) is suspended and will be waived with no further penalties imposed for the violation alleged in the Complaint unless Defendant fails to comply with all of the terms of this Stipulation and all of the rules adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a one-year period following the date of the Commission's entry of an order.
- E. Defendant must update company policy and procedures for giving notice of an excavation to the OUNC. This includes but is not limited to registering with the OUNC's ITICnxt provider. Contact the OUNC's provider to register at this email: [nwitic@occinc.com](mailto:nwitic@occinc.com). This also includes reviewing tool resource information at <http://or.tryitic.com>.
- F. In the event that Complainant contends that Defendant has not complied with all of the terms of this Stipulation and all OUNC rules for that one-year period, Complainant may reopen this proceeding and petition for imposition of all or a portion of the suspended penalties. In such case, Defendant is entitled to a notice and

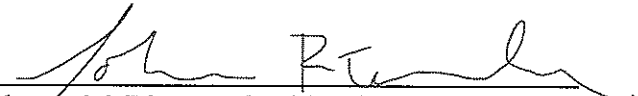
1 hearing on the basis upon which Complainant contends that compliance has not  
2 occurred.

3 G. Complainant's failure to enforce any provision of this Stipulation, or decision to  
4 waive any violation or nonperformance of this Stipulation in one instance, will not  
5 constitute a waiver by the Complainant of that provision, any other provision, or any  
6 other violation or nonperformance in another instance.

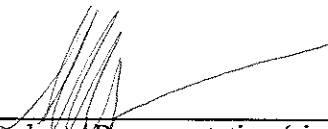
7 5.

8 This Stipulation is conditioned upon final approval of its terms by the Commission. If  
9 the Stipulation is not accepted in its entirety, it is deemed withdrawn.

10  
11 DATED this 4<sup>th</sup> day of February 2022.

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13   
14 Johanna M. Riemenschneider, OSB No. 990083  
15 Senior Assistant Attorney General  
16 Of Attorneys for the Public Utility Commission  
17 of Oregon

18  
19 DATED this 16 day of February 2022.

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21   
22 Defendant / Representative (signature)  
23  
24 STEVE DORMAN  
25 (Print Name)  
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