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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. Payment of the 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. Within 60 days of entry of the OPUC Final Order: Defendant must develop and
13 implement updated safety plan procedures (policy) that identifies the workflow for
14 giving notice for proposed excavation work to the 811/One Call Center as required
15 by OAR Chapter 952. The policy must include but is not limited to the following:
- 16 a. Description of the purpose of the policy and commitment thereof by
17 leadership, management, and employees.
- 18 b. Identification of types of notifications given to the 811/One-Call Center.
- 19 c. Identification of tasks assigned to participants by title or position and their role
20 and responsibilities in the workflow process.
- 21 d. Workflow must address the reassignment of tasks when Company
22 participants are unable to fulfill notification to the 811/One Call Center.
- 23 e. Procedures in the policy must address the following:
- 24 i. Applicable Oregon Utility Notification Center OAR Chapter 952 safety
25 standards:
26

1 constitute a waiver by the Complainant of that provision, any other provision, or any
2 other violation or nonperformance in another instance.

3 5.

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5 the Stipulation is not accepted in its entirety, it is deemed withdrawn.

6
7 DATED this 13th day of June 2023.

8
9 Johanna Riemenschneider
10 Johanna M. Riemenschneider, OSB No. 990083
11 Senior Assistant Attorney General
Of Attorneys for the Public Utility Commission
of Oregon

12 DATED this 15th day of June 2023.

13
14 [Signature]
Defendant / Representative (signature)

15 Bob Tate pres
16 (Print Name)