

1 **BEFORE THE PUBLIC UTILITY COMMISSION**
2 **OF OREGON**

3 NC 339

4 PUBLIC UTILITY COMMISSION OF
5 OREGON,

6 Complainant,

7 v.

8 PORTLAND GENERAL ELECTRIC
9 COMPANY, (an Oregon corporation),

10 Defendant.

AMENDED STIPULATION FOR ENTRY
OF FINAL ORDER

11
12 The Public Utility Commission of Oregon, appearing by and through Johanna M.
13 Riemenschneider, Assistant Attorney General, and Portland General Electric Company,
14 Defendant, hereby stipulate as follows:

15 1.

16 A Complaint in this case is pending before the Commission charging the Defendant with
17 one violation of law, OAR 952-001-0070.

18 2.

19 Both parties to this proceeding are willing to forego further processing of that Complaint
20 and further are willing to resolve this matter on the basis of this Stipulation.

21 3.

22 Although the Defendant admits that the violation was committed as alleged in the
23 Complaint, the Defendant contends that the violation was the result of actions by its designated
24 agent, and not by the Defendant. Nevertheless, the Defendant admits that it bears responsibility,
25 and thus is willing for the Commission to enter an order finding that the violation was
26 committed as alleged in the Complaint.

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 Amended Stipulation within 14 days of the date
6 it was served upon (mailed to) Defendant.

7 B. \$200 becomes due and payable on or before the 30th day following the
8 Commission's entry of its order in this case.

9 C. Payment must be by money order or company check made out to the Public
10 Utility Commission of Oregon, and the memo line of the money order must state
11 the "NC" docket number in the caption of this Amended Stipulation.

12 D. Payment of the balance of the penalties (\$800) will be permanently suspended and
13 no further penalties will be imposed for the violation alleged in the Complaint unless
14 Defendant fails to comply with all of the terms of this Stipulation and all of the rules
15 adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a
16 one-year period following the date of the Commission's entry of an order.

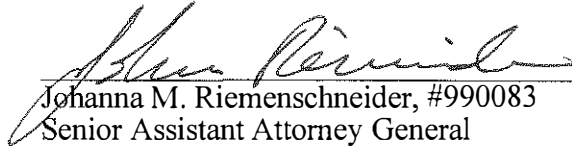
17 E. In the event that Complainant contends that Defendant has not complied with all of
18 the terms of this Stipulation and all OUNC rules for that one-year period,
19 Complainant may reopen this proceeding and petition for imposition of all or a
20 portion of the suspended penalties. In such case, Defendant is entitled to a hearing
21 and to be notified of the basis upon which Complainant contends that compliance
22 has not occurred.

23 F. Complainant's failure to enforce any provision of this Stipulation, or decision to
24 waive any violation or nonperformance of this Stipulation in one instance, will not
25 constitute a waiver by the Complainant of that provision, any other provision, or any
26 other violation or nonperformance in another instance.

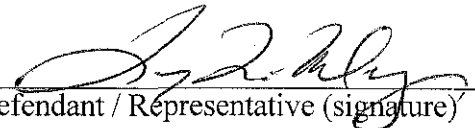
5.

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

DATED this 16 day of April 2014.


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

DATED this 5th day of May 2014.


Defendant / Representative (signature)

LARRY W. MELZER
(Print Name)

SM
4/20/14