

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

3 NC 344

4 PUBLIC UTILITY COMMISSION OF
OREGON,

5 Complainant,

6 v.

7 OREGON GREEN ORGANICS, LLC
8 (An Oregon Limited Liability Company)

9 Defendant.

STIPULATION FOR ENTRY OF ORDER

10 The Public Utility Commission of Oregon, appearing by and through Johanna M.
11 Riemenschneider, Assistant Attorney General, and Oregon Green Organics, LLC., the Defendant
12 herein, hereby stipulate as follows:

13 1.

14 A Complaint in this case is pending before the Commission charging the Defendant with
15 one violation of law, OAR 952-001-0050.

16 2.

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

19 3.

20 The Defendant admits that the violation was committed as alleged in the Complaint and
21 is willing for the Commission to enter an order finding that the violation was committed as
22 alleged in the Complaint.

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1 4.

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 penalties (\$1,000) will be suspended and no further penalties will be
8 imposed for the violation alleged in the Complaint unless Defendant fails to comply
9 with all of the terms of this Stipulation and all of the rules adopted by the Oregon
10 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. Defendant must contact the OUNC Speakers Bureau online at
13 www.digsafelyoregon.com or by calling **(503) 232-1987** to arrange for and attend a
14 training session on Oregon excavation laws within 45 days following the entry of the
15 Commission's order.
- 16 D. In the event that Complainant contends that Defendant has not complied with all of
17 the terms of this Stipulation and all OUNC rules for that one-year period,
18 Complainant may reopen this proceeding and petition for imposition of all or a
19 portion of the suspended penalties. In such case, Defendant is entitled to a hearing
20 and to be notified of the basis upon which Complainant contends that compliance has
21 not occurred.
- 22 E. Complainant's failure to enforce any provision of this Stipulation, or decision to
23 waive any violation or nonperformance of this Stipulation in one instance, will not
24 constitute a waiver by the Complainant of that provision, any other provision, or any
25 other violation or nonperformance in another instance.

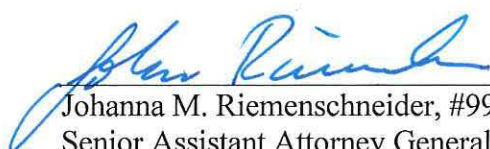
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This Stipulation is conditioned upon final approval of its terms by the Commission. If the Stipulation is not accepted in its entirety, it is deemed withdrawn.

DATED this 21 day of January, 2016.



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

DATED this 2 day of March, 2016.



Defendant / Representative (signature)



(Print Name)