



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 penalty (\$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 Emerald People's Utility District (EPUD), Chris Miles,  
13 by email at ChrisM@epud.org or by calling **(541) 744-7481** to arrange for and ensure  
14 that all of defendant's employees that engage in excavation activity in Oregon as part  
15 of their job duties attend an EPUD-provided training session on electric overhead and  
16 underground safety within 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 all required trainings scheduled under paragraph 4.C.  
19 above. Defendant must ensure that all of its employees attending a required training  
20 sign a Training Verification form to verify attendance. A representative of the  
21 organization providing the training (Instructor) must sign the Training Verification  
22 form to verify each person listed on the form completed the training. Defendant must  
23 return all completed Training Verification forms to Complainant at the address on the  
24 Form within 10 days of the date of the last training session and in no event later than  
25 55 days following the date of the Commission's entry of an order in this docket.

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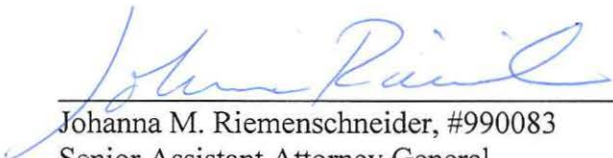
1 E. In the event that Complainant contends that Defendant has not complied with all of  
2 the terms of this Stipulation and all OUNC rules for that one-year period,  
3 Complainant may reopen this proceeding and petition for imposition of all or a  
4 portion of the suspended penalties. In such case, Defendant is entitled to a hearing  
5 and to be notified of the basis upon which Complainant contends that compliance has  
6 not 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 DATED this 26 day of May 2017.

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

20 DATED this 1 day of June 2017.

21  
22   
23 Defendant / Representative (signature)

24 Karen Jackson  
25 (Print Name)  
26

