

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

3 NC 396

4 PUBLIC UTILITY COMMISSION OF
OREGON,

5 Complainant,

6 v.

7 OREGON OUTDOOR LIGHTING, INC, (an
8 Oregon corporation),

9 Defendant.

STIPULATION FOR ENTRY OF ORDER

10 The Public Utility Commission of Oregon, appearing by and through Johanna M.
11 Riemenschneider, Senior Assistant Attorney General, and Oregon Outdoor Lighting, Inc, the
12 Defendant 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:

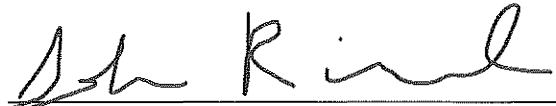
- 5 A. Defendant must sign and return this Stipulation within 20 days of the date it was
6 served upon (mailed to) Defendant.
- 7 B. Payment of the penalties (\$1,000.00) is suspended and will be waived with no further
8 penalties imposed for the violation alleged in the Complaint unless Defendant fails 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. Defendant must update company policy and procedures for giving notice of a
13 proposed excavation to the OUNC. This includes but is not limited to registering
14 with OUNC's ITICnxt provider. Defendant may contact the provider at this email
15 address for registration: nwitic@occinc.com. Defendant may review the tool
16 resource information at <http://or.tryitic.com>.
- 17 D. 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 has
22 not occurred.
- 23 E. 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.

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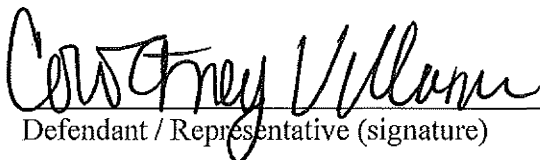
This Stipulation is conditioned upon final approval of its terms by the Commission. If the Stipulation is not accepted in its entirety, it is deemed withdrawn.

DATED this 27th day of January 2022.

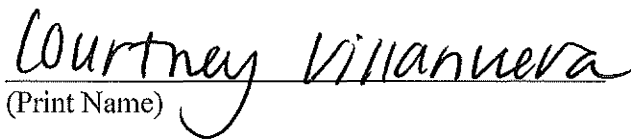


Johanna M. Riemenschneider, OSB #990083
Senior Assistant Attorney General
Of Attorneys for the Public Utility Commission
of Oregon

DATED this 9th day of February 2022.



Defendant / Representative (signature)



(Print Name)

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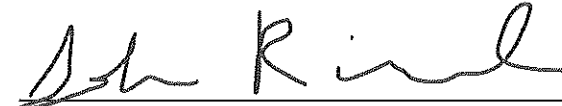
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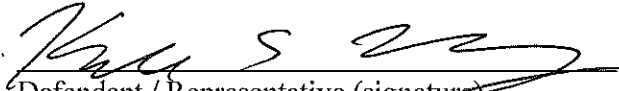
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DATED this 27th day of January 2022.

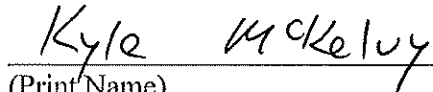


Johanna M. Riemenschneider, OSB #990083
Senior Assistant Attorney General
Of Attorneys for the Public Utility Commission
of Oregon

DATED this 8th day of February 2022.



Defendant / Representative (signature)



(Print Name)