

- 1 A. Defendant must sign and return this Stipulation within 20 days of the date it was
2 served upon (mailed to) Defendant.
- 3 B. \$200 becomes due and payable on or before the 30th day following the Commission's
4 entry of its order in this case.
- 5 C. Payment must be by **money order** made out to the **Public Utility Commission of**
6 **Oregon**, and the memo line of the money order must state the "NC" docket number
7 in the caption of this Stipulation.
- 8 D. Payment of the balance of the penalties (\$800) is suspended and will be waived with
9 no further penalties imposed for the violation alleged in the Complaint unless
10 Defendant fails to comply with all of the terms of this Stipulation and all of the rules
11 adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a
12 one-year period following the date of the Commission's entry of an order.
- 13 E. Defendant must update company policy and procedures for giving notice of an
14 excavation to the OUNC. This includes but is not limited to registering with the
15 OUNC's ITICnxt provider. Contact the OUNC's provider to register at this email:
16 nwitic@occinc.com. This also includes reviewing tool resource information at
17 <http://or.tryitic.com>.
- 18 F. Defendant's management and each employee must register for and complete the
19 OUNC online course, Excavation Safety 101, registration for which is found at:
20 [Excavation Safety 101 – Oregon Utility Notification Center \(digsafelyoregon.com\)](http://digsafelyoregon.com).
21 Defendant must provide Complainant with a certificate of completion for each
22 individual required to complete the course on or before the 60th day following the
23 Commission's entry of its order in this case.
- 24 G. In the event that Complainant contends that Defendant has not complied with all of
25 the terms of this Stipulation and all OUNC rules for that one-year period,
26 Complainant may reopen this proceeding and petition for imposition of all or a

1 portion of the suspended penalties. In such case, Defendant is entitled to a notice and
2 hearing on the basis upon which Complainant contends that compliance has not
3 occurred.


4 H. Complainant's failure to enforce any provision of this Stipulation, or decision to
5 waive any violation or nonperformance of this Stipulation in one instance, will not
6 constitute a waiver by the Complainant of that provision, any other provision, or any
7 other violation or nonperformance in another instance.

8 I. If Defendant fails to comply with any of the conditions outlined above or the
9 Defendant is found to have violated any rule within Chapter 952, Division 1 within
10 12 months, the suspended amount of \$800 is forfeited.

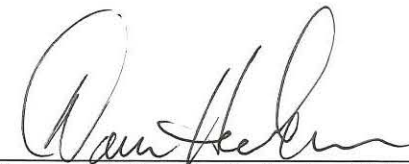
11 5.

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
15 DATED this 4th day of February 2022.

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17 
18 Johanna M. Riemenschneider, OSB No. 990083
19 Sr. Assistant Attorney General
Of Attorneys for the Public Utility Commission
of Oregon

20 DATED this 12th day of February 2022.

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22 
23 Representative for Defendant (signature)
24 DARREN HENDREN
25 (Print name)
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