

**BEFORE THE PUBLIC UTILITY COMMISSION
OF OREGON**

NC 169

PUBLIC UTILITY COMMISSION OF)
OREGON,)
)
Complainant,)
)
v.)
)
NEW TECHNOLOGY ELECTRICAL)
CONTRACTORS, INC. (an Oregon)
corporation), dba NEW TECH)
ELECTRIC, INC.,)
)
Defendant.)

ORDER

DISPOSITION: MONETARY PENALTIES ASSESSED

On December 13, 2005, the Public Utility Commission of Oregon filed a complaint against Defendant. The complaint charged Defendant with one violation of law, OAR 952-001-0050, by failing to notify the Oregon Utility Notification Center of a proposed excavation prior to excavating.

Triplicate originals of the complaint were served on Defendant on December 16, 2005, as follows: (1) David Hall, New Tech Electric, Inc. 13970 SW 72nd Avenue, Portland, OR 97224, (2) Charles Crouser, Authorized Representative, New Tech Electrical, Inc., 6950 NE Campus Way, Hillsboro, OR 97124, and (3) William A. Coleman, Registered Agent, New Technology Electrical Contractors, Inc., dba New Tech Electric, Inc., 1400 NE 48th Avenue, Hillsboro, OR 97124. Defendant was notified in the complaint, that failure to answer or otherwise appear within 20 days after service would be deemed a default. Furthermore, all material allegations of the complaint would be deemed admitted, hearing waived, penalties imposed, and the matter disposed of by appropriate order without further notice.

On January 9, 2006, the envelopes addressed to Charles Crouser and William A. Coleman were returned from the Post Office, stamped "Undeliverable As Addressed, Unable to Forward, Returned to Sender." However, the envelope addressed to David Hall was not returned.

Defendant failed to file an answer or otherwise plead or appear within the time specified.

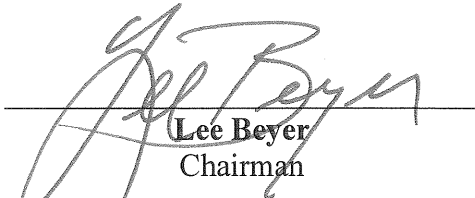
From the foregoing, it is concluded that Defendant is in default, all material allegations of the complaint are deemed admitted, hearing waived, and that, pursuant to ORS 757.993, civil monetary penalties should be assessed against Defendant in the amount of \$1,000.

ORDER

IT IS ORDERED that:

1. Civil monetary penalties in the amount of \$1,000 are assessed against Defendant.
2. Defendant shall pay the sum of \$1,000, due and payable within 30 days from the date of service of this order. Payment shall be by cashier's check or money order made out to the **Public Utility Commission of Oregon**, and the memo line of the cashier's check or money order shall state the "NC" docket number in the caption of this order. (Mail payment to: Public Utility Commission of Oregon, PO Box 2153, Salem, OR 97308.)

Made, entered, and effective FEB 16 2006.



Lee Beyer
Chairman



John Savage
Commissioner



Ray Baum
Commissioner



Petition for Mitigation Under ORS 757.993.(5), you may request reduction of penalties ordered by filing a Petition for Mitigation with the Commission within 15 days of the date of service of this order.

A party may request rehearing or reconsideration of this order pursuant to ORS 756.561. A request for rehearing or reconsideration must be filed with the Commission within 60 days of the date of service of this order. The request must comply with the requirements in OAR 860-014-0095. A copy of any such request must also be served on each party to the proceeding as provided by OAR 860-013-0070(2). A party may appeal this order by filing a petition for review with the Court of Appeals in compliance with ORS 183.480-183.484.