

**BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON**

NC 159

PUBLIC UTILITY COMMISSION OF	)	
OREGON,	)	
	)	
Complainant,	)	ORDER
	)	
v.	)	
	)	
FRED CORBIN,	)	
	)	
Defendant.	)	

**DISPOSITION: ORDER NO. 06-069 RESCINDED;  
STIPULATION ADOPTED**

On July 14, 2005, the Public Utility Commission of Oregon (Commission) filed a complaint against Defendant. The complaint charged Defendant with one violation of law, OAR 952-001-0050, and requested a penalty of \$1,000. On July 22, 2005, a copy of the complaint was served. Defendant failed to file an answer or otherwise plead or appear within 20 days after service of the complaint.

On October 20, 2005, Defendant had a telephone conversation with Michael Thompson, Chief of Pipeline Safety, stating that he misplaced the Stipulation. Based on that conversation, on October 25, 2005, Administrative Specialist Cheryl Walker mailed another original Stipulation to Defendant to sign, and return to the Commission. A review of the Commission's records indicated that Defendant had not filed the Stipulation. On February 16, 2006, the Commission entered a default order, Order No. 06-069, and assessed monetary penalties against Defendant.

On March 10, 2006, the Defendant filed an executed Stipulation. Defendant admits committing the violation alleged in the complaint.

In this instance, Defendant did not sign and return the stipulation at the appropriate time. However, the Stipulation has now been received. The Commission adopts the Stipulation entered into by the parties to this proceeding, which is attached as Appendix A. Under the circumstances, Order No. 06-069 should be rescinded pursuant to ORS 756.568.


**ORDER**

IT IS ORDERED that:

1. The stipulation, attached as Appendix A, is adopted.
2. Civil monetary penalties shall be assessed against Fred Corbin in the amount of \$1,000 for one violation of law.
3. Payment of the civil monetary penalties (\$1,000) shall be suspended, unless a showing is made that Defendant has violated, within one year of the date of this order, any rules administered by the Oregon Utility Notification Center.
4. Order No. 06-069 is rescinded.

Made, entered, and effective                     MAR 20 2006                    .

  
\_\_\_\_\_  
**Lee Beyer** *JH*  
Chairman

  
\_\_\_\_\_  
**John Savage**  
Commissioner

  
\_\_\_\_\_  
**Ray Baum**  
Commissioner



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.

RECEIVED

MAR 10 2006

Public Utility Commission of Oregon  
Administrative Hearing Division

BEFORE THE PUBLIC UTILITY COMMISSION  
OF OREGON

NC 159

PUBLIC UTILITY COMMISSION OF OREGON,

Complainant,

v.

FRED CORBIN,

Defendant.

STIPULATION FOR ENTRY OF FINAL  
ORDER

The Public Utility Commission of Oregon, appearing by and through Paul A. Graham,  
Assistant Attorney General, and Fred Corbin, the defendant herein, hereby stipulate as follows:

1.

A Complaint in this case is pending before the Commission charging the defendant with  
one violation of law.

2.

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

3.

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

4.

The parties further agree that the Commission may enter an order assessing civil  
monetary penalties against the defendant in the amount of \$1,000 under the following terms and  
conditions:

///

DOCKETED

A. \$1,000 shall be permanently suspended and no further penalties shall be imposed for the violation alleged in the Complaint unless defendant fails to comply with all of the rules adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a one year period following date of the Commission's entry of a final order.

B. In the event that complainant contends that the defendant has not complied with all OUNC rules for that one year period, complainant may reopen this proceeding and petition for imposition of all or a portion of the suspended penalties. In such case defendant shall be entitled to a hearing and to be notified of the basis upon which complainant contends that compliance has not occurred.

5.

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

DATED this 21<sup>st</sup> day of October, 2005.

*Paul A. Graham*

Paul A. Graham, OSB #77190  
Attorney-in-Charge  
Of Attorneys for PUC Staff

DATED this 1 day of March, 2006.

*All letters to the PUC concerning this matter will be made a part of this document.*  
*Franklin Cole*  
Representative for Defendant