# ENTERED 05/23/07 BEFORE THE PUBLIC UTILITY COMMISSION

## **OF OREGON**

### NC 215

PUBLIC UTILITY COMMISSION OF OREGON,	) )	
Complainant,	) )	
v.	)	ORDER
VERIZON NORTHWEST, INC. (a Washington corporation),	)	
Defendant.	)	

#### DISPOSITION: STIPULATION ADOPTED

On April 9, 2006, the Public Utility Commission of Oregon filed a complaint against Defendant. The complaint charged Defendant with one violation of law, OAR 952-001-0070, and requested a penalty of \$12,500. On April 13, 2007, a copy of the complaint was served.

On April 26, 2007, the parties to this proceeding entered into a stipulation, which is attached as Appendix A.

Under the terms of the stipulation, Defendant admits committing the alleged violation and agrees that the Commission may enter an order assessing civil monetary penalties.

The parties further agree that a portion of the penalties should be suspended, unless Defendant fails to comply with any provision of the stipulation or violates any rule adopted by the Oregon Utility Notification Center (OUNC) under ORS 757.552 for a period of one year following the date of the Commission's final order in this proceeding.

The stipulation is adopted. From the foregoing, it is concluded that no hearing is required. Under the terms of the stipulation, the allegations of the complaint are true, and Defendant has violated Oregon Administrative Rule(s) as alleged. Pursuant to the provisions of ORS 757.993, penalties should be assessed against Defendant under the terms and conditions of the stipulation.

#### ORDER

#### IT IS ORDERED that:

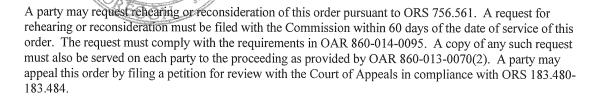
- 1. The stipulation, attached as Appendix A, is adopted.
- 2. Civil monetary penalties shall be assessed against Verizon Northwest, Inc. (a Washington corporation) in the amount of \$12,500 for one violation of law.
- 3. Defendant shall pay the sum of \$7,500, due and payable within 30 days from the date of service of this order. Payment shall be by <u>check</u> made out to the **Public Utility Commission of Oregon**, and the <u>memo line of the check shall state the "NC" docket number</u> in the caption of this order. (Mail payment to: Public Utility Commission of Oregon, PO Box 2153, Salem, OR 97308.)
- 4. Payment of the balance of the penalties (\$5,000) shall be suspended, unless:
  - (a) Defendant fails to comply with paragraph 3 above; or
  - (b) 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.
- 5. If Defendant has not paid the amount assessed in paragraph 3 above within 30 days from the date of service of this order, the unpaid balance of the amount assessed in paragraph 2 shall become immediately due.

Made, entered, and effective

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MAY 2 3 2007

Lee Sparling Director Utility Program



1	<b>BEFORE THE PUBLIC</b>	UTILITY COMMISSION		
2	OF OREGON		RECEIVED	
3	NC	215	APR 30 2007	
4 5	PUBLIC UTILITY COMMISSION OF OREGON,		Public Utilitiy Commission of Oregon Administrative Hearing Division	
6 7	Complainant, v.	STIPULATION FOR ENT	RY OF FINAL ORDER	
8	VERIZON NORTHWEST, INC. (a Washington corporation),			
9 10	Defendant.			
11	The Public Utility Commission of Oregon, appearing by and through Paul A. Graham,			
12	Assistant Attorney General, and Verizon Northwest, Inc., the defendant herein, hereby stipulate			
13	as follows:			
14	1			
15	A Complaint in this case is pending before the Commission charging the defendant with			
16	one violation of law, OAR 952-001-0070.			
17	2			
18	Both parties to this proceeding are willing to forego further processing of that Complaint			
19	and further are willing to resolve this matter on the basis of this stipulation.			
20	3	•		
21	The defendant admits that the violation was committed as alleged in the Complaint and is			
22	willing for the Commission to enter an order find	ling that the violation was co	mmitted as alleged	
23	in the Complaint.			
24	///			
25	///			
26	///			
Page	1 - STIPULATION	DANIET	-	

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Department of Justice 1162 Court Street NE Salem, OR 97301-4096 (503) 378-6322

DOCKETED APPENDIX A PAGE 4 OF 3

ORDER NO. 07-205

1		4.
2		The parties further agree that the Commission may enter an order assessing civil
3	monet	ary penalties against the defendant in the amount of \$12,500 under the following terms and
4	condit	ions:
5	A.	\$7,500 shall become due and payable on or before the 30 <sup>th</sup> day following the
6		Commission's entry of a final order in this case.
7	B.	Payment shall be by check made out to the Public Utility Commission of Oregon, and the
8		memo line of the check shall state the "NC" docket number (NC 215) in the caption of
9		this stipulation.
10	C.	Payment of the balance of the penalties (\$5,000) shall be permanently suspended and no
11		further penalties shall be imposed for the violation alleged in the Complaint unless
12		defendant fails to comply with all of the rules adopted by the Oregon Utility Notification
13		Center (OUNC) under ORS 757.552 for a one year period following date of the
14		Commission's entry of a final order.
15	D.	In the event that complainant contends that the defendant has not complied with all
16		OUNC rules for that one year period, complainant may reopen this proceeding and
17		petition for imposition of all or a portion of the suspended penalties. In such case
18		defendant shall be entitled to a hearing and to be notified of the basis upon which
19		complainant contends that compliance has not occurred.
20	///	
21	///	
22	///	
23	///	
24	///	
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26	///	

3.2

1	5.
2	This stipulation is conditioned upon final approval of its terms by the Commission. If the
3	stipulation is not accepted in its entirety, it shall be deemed withdrawn.
4	ath a
5	DATED this day of, 2007.
6	$\mathcal{O}$
7	Paul A. Graham, OSB #77190
8	Assistant Attorney General
9	Of Attorneys for PUC Staff
10	DATED this _26th day of _ April, 2007.
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12	Rentes modella
13	Representative for Defendant
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