ENTERED 11/14/07 BEFORE THE PUBLIC UTILITY COMMISSION

OF OREGON

NC 223

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

DISPOSITION: STIPULATION ADOPTED

On September 17, 2007, 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 \$1,000. On September 20, 2007, a copy of the complaint was served.

On October 29, 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 no further penalties shall be imposed for the violation alleged in the Complaint, 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 three years 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 Defendant in the amount of \$1,000 for one violation of law.
- 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 <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. No further penalties shall be imposed for the violation alleged in the Complaint, unless:
 - (a) Defendant fails to comply with paragraph 3 above; or
 - (b) A showing is made that Defendant has violated, within three years 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, Complainant may reopen this proceeding and Docket NC 215 to reinstate previously suspended penalties, following the expiration of the time period.

Made, entered, and effective NOV 1 4 2007



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Lee Sparling Director Utility Program

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.

DOCKETED

1	BEFORE THE PUBLIC UTILITY COMMISSION		RECEIVED	
2	OF OREGON			
3	NC 223		OCT 3 1 2007	
4	PUBLIC UTILITY COMMISSION OF		Public Utilitiy Commission of Oregon Administrative Hearing Division	
5	OREGON,			
6	Complainant,	STIPULATION FOR ENT	RY OF FINAL ORDER	
7	V.			
8	VERIZON NORTHWEST, INC. (a Washington corporation),			
9	Defendant.			
10		I		
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 t	ne basis of this stipulation.		
20	3	•		
21	The defendant admits that the violation w	as committed as alleged in t	he Complaint and is	
22	willing for the Commission to enter an order finding that the violation was committed as alleged			
23	in the Complaint.			
24	///			
25	///			
26	///			
Page	1 - STIPULATION FOR FINAL ORDER GENV1590 Departmen 1162 Cour Salem, OR (503) 3	Street NE 97301-4096	APPENDIX A PAGE L OF <u>3</u> KFTFD	

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 \$1,000 under the following terms and			
4	condit	ions:			
5	А.	$1,000$ shall become due and payable on or before the 30^{th} 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 223) in the caption of			
9		this stipulation.			
10	C.	No further penalties shall be imposed for the violation alleged in the Complaint unless			
11		defendant fails to comply with all of the rules adopted by the Oregon Utility Notification			
12		Center (OUNC) under ORS 757.552 for a three (3) year period following date of the			
13		Commission's entry of a final order.			
14	D.	In the event that complainant contends that the defendant has not complied with all			
15		OUNC rules for that three year period, complainant may reopen this proceeding and			
16		Docket No. NC 215 to reinstate previously suspended penalties. In such case defendant			
17		shall be entitled to a hearing and to be notified of the basis upon which complainant			
18		contends that compliance has not occurred.			
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APPENDIX A PAGE 2 OF 3

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	\mathcal{F}
5	DATED this 17 day of September, 2007.
6	\wedge
7	Paul A. Graham, OSB #77190
8	Assistant Attorney General
9	Of Attorneys for PUC Staff
10	DATED this 29th day of October, 2007.
11	
12	Representative for Defendant
13	Representative for Derendant
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